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NOTES ON ROLL 11

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The first volume contains the minutes of the Court from April 13, 1874, to January 18, 1875; the second, from January 18 to November 29, 1875; and the third, from November 29, 1875, to April 10, 1876.

VOLUME

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Monday, April 13th 1874.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Ward Hunt.

} Associate Justices

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Phillips, it is ordered that George H. Wyman, Esquire, of Cleveland, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this

behalf by Mr. E. C. Brearley, it is ordered that Luther Dearborn, Esquire, of Havana, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. L. P. Poland, it is ordered that Norman Williams, Esquire, of Chicago, State of Illinois, and Frenos W. Parks, Esquire, of Bennington, State of Vermont, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

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247. The United States vs. The Heirs of James Innerarity, deceased. | Appeal from the District Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Louisiana, and was argued by counsel-

On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, reversed - And that this cause be, and the same is hereby, remanded to the said District Court with directions to dismiss the petition.

Per Mr. Justice Hunt.

257. The First National Bank of Troy. vs. Marville W. Cooper, Walter Vail, William B. S. Jay, and Chas. T. Randall, formerly partners composing the firm of Cooper, Vail & Co., and Shepard Tappin, Assignee of the Troy Woolen Company. | Appeal from the Circuit Court of the United States for the Northern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York, and was argued by counsel -

On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same and is hereby, affirmed with costs.

Per Mr. Justice Strong.

263. The Atlantic, Tennessee and Ohio Railroad Co, The Charlotte & South Carolina R.R.Co. Joseph H. Wilson & Anderson Mitchell. vs. The Carolina National Bank of Columbia, South Carolina, L.D. Childs & C. A. Manson. Appellants

Appeal from the Circuit Court of the United States for the District of North Carolina.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of North Carolina, and was argued by counsel—

On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice Field.

248.	George W. Peete vs. Charles Morgan	Appeal from the Circuit Court of the United States for the Eastern District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Texas, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Davis

265.	The Washington Alexandria & Georgetown Steam Packet Co. vs. Pfff. in Error Frederick E. Fickles and Truman Cook use of George Mattingly.	In Error to the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme

Court of the District of Columbia, and was argued by counsel- On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs- And that this cause be, and the same is hereby remanded to the said Supreme Court with directions to award a new trial.

per Mr. Justice Miller-

252. The United States vs. Plff. in Error / Francis J. Herron | In Error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel- On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed- And that

this cause be, and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo.

Jus Mr. Justice Clifford.

John N. Jaffan, Collector of Taxes, South Chicago. vs. The Merchants National Bank of Chicago.

57. Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court for further

proceedings to be had therein in conformity with the opinion of this Court.

Per Mr. Chief Justice Waite-

The Piedmont & Arlington Insurance Company vs. Plff. in Error Ashley W. Ewing, Admr. of John F. Howes, decd.	In Error to the Circuit Court of the United States for the Western District of Missouri

No. 130.

On consideration of the motion filed in this cause by Mr. Montgomery Blair, of counsel for the plaintiff in Error, it is now here ordered by this Court, that a writ of supersedeas be, and the same is hereby awarded to be directed to the Marshal of the United States for the Western District of Missouri, commanding and enjoining him and his deputies to stay every and all proceedings upon the writ of fieri facias issued from the Circuit Court of the United States for the Western District of Missouri, on a judgment of-

tained in said Circuit Court by Ashley N. Ewing, Administrator of John P. Howes deceased, against the Piedmont and Arlington Insurance Company, and that he return the said execution, with this supersedeas to the said Circuit Court. And it is further ordered by this Court that the Judges of the said Circuit Court cause the said writ of execution to be quashed.

Per Mr. Chief justice Waite

728. Silas Woodson et al. vs. Plffs. in Error / Hiriel A. Mundee et al. | On consideration of the motion of Mr. B. A. Hill it is now here ordered by the court that this cause be advanced on the docket and set down for argument on the second Monday of the next term.

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319. Charles T. Pollard vs. Plff. in Error / John F. Bailey, Assignee. | On consideration of the motion to dismiss this cause

and of the arguments of counsel thereupon had as well in support of, as against the same, it is now here ordered by the Court that said motion be, and the same is hereby overruled.

per Mr. Chief Justice Waite.

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566. H. J. Pahlman et al. vs. Plffs. in Error / Herman Raster. | On motion of Mr. Attorney General Williams it is ordered by the Court that this cause be, and the same is hereby, advanced on the docket.

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566. H. J. Pahlman et al. vs. Plffs. in Error / Herman Raster. | This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. N. B. Scates of counsel for the plaintiffs in error, and by Mr. Attorney General Williams and Mr. Solicitor General Phillips for the defendant in error.

Monday, April 13th 1874, Continued.

167. The Orange, Alexandria & Manassas R.R. Co. vs. Appellant The Southern & Atlantic Telegraph Co.

On motion of Mr. Reverdy Johnson, it is ordered by the Court that this cause be, and the same is hereby, continued to the next term.

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28. Shepherd Knapp vs. Plff. in Error The Troy & Boston Railroad Co.

The argument of this cause was commenced by Mr. E.J. Phelps of counsel for the plaintiff in error & continued by Mr. W.A. Beach for the defendant in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday, April 11th. 1871.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Ward Hunt.

Associate Justices

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. P. Phillips, it is ordered that B. Franklin Chapman, Esquire, of Clockville, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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8. orl.	State of Florida v. E. C. Anderson Jr., et al.	Mr. S. S. Crittenden moved the Court for leave to file petition of Robert H. Johnson

Rufus Barringer, Robert J. McDonald, & S. B. Alexander, Executor of H. L. Alexander, deceased, holders of 2d mortgage bonds &c., to be made parties defendants to the Bill in this case.

286.	Shepherd Knapp v. Plff. in Error. The Troy & Boston Railroad Company.	The argument of this case was concluded by Mr. L. P. Poland of counsel for the

plaintiff in error.

287.	Ann Osborne, Admx. &c. v. Plff. in Error The United States	This cause was argued by Mr. David V. Sellers of counsel

for the plaintiff in error, and by Mr. Assistant Attorney General Hill of counsel for the defendant in error.

Tuesday, April 14th 1874. Continued.

288. Edward Creighton vs. Plff. in Error John Kerr & Alex. Sobb. | This cause was argued by Mr. R.T. Merrick of counsel for the defendants in error, and submitted on printed arguments by Mr. J. M. Woolworth of counsel for the plaintiff in error.

293. Armand & Michel, Heinert et al. vs. Appellants The Board of Levee Commissioners &c. | (Substituted for 289) The argument of this cause was commenced by Mr T. A. Clarke of counsel for the appellants, and continued by Mr. Harriet Finstalls of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, April 15th. 1874.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice
Nathan Clifford, Associate Justice
Noah H. Swayne, Associate Justice
Samuel F. Miller, Associate Justice
David Davis, Associate Justice
Stephen J. Field, Associate Justice
William Strong, Associate Justice
Ward Hunt, Associate Justice

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Thomas Allen Clarke, it is ordered that J. C. Leonard, Esquire, of Lake Providence, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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733. The United States, Appts. vs. Thomas Pugatt.
734. " " " " " J. D. Downey
735. " " " " " John Cullen
736. " " " " " Charles Wood
737. " " " " " Timothy Craven
738. " " " " " John Wild
739. " " " " " John Donnelly
740. " " " " " O. H. O. Hoffman
741. " " " " " Patrick Welch
742. " " " " " James Hannan
743. " " " " " Thomas Durkin
744. " " " " " John Smith
745. " " " " " Maurice Fuches
746. " " " " " George A. Bell

On motion of Mr. Assistant Attorney General Goforth, it is ordered by the Court that these cases be advanced on the docket and assigned for argument on Wednesday the 22d inst.

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8. Orig. The State of Florida, Complainant vs. Eli. Anderson Jr. et al.

Mr. W. H. Boyce moved the Court for leave to file petition for the

appointment of a Receiver and to have it set for argument on Friday the 24th instant. Whereupon the Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

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293. Armand & Michel Heine et al. vs. The Board of Levee Commissioners &c. Appellants

(Substituted for 289.) The argument of this cause was continued by Mr. Warriel & Finstall & Mr. J. E. Leonard of counsel for the appellees, and concluded by Mr. Thos. Allen Clarke of counsel for the appellants.

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291. William A. Simpson vs. C. S. Greely et al. Plff. in Error

This cause was argued by Mr. W. D. Otto of counsel for the defendants in error and submitted on printed arguments by Mr. W. W. Nevison for the plaintiff in error.

Wednesday, April 15th 1874, Continued—

295. The Township of Pine Grove vs. Plff. in Error
Edward B. Talcott.

This cause was argued by Mr. J. S. Black & Mr. C. A. Kent of counsel for the defendant in error & submitted on printed argument by Mr. J. A. Garfield for the plaintiff in error.

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294. Ira Gee vs. Plff. in Error.
Eliza Wells, Admx. &c.

The argument of this cause was commenced by Mr. A. L. Soule of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at ten o'clock.

Thursday, April 16th. 1874.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable	Morrison R. Waite	Chief Justice
	Nathan Clifford	Associate Justices
	Noah H. Swayne	
	Samuel F. Miller	
	David Davis	
	Stephen J. Field	
	William Strong	
	Ward Hunt	

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. R. McCormick, it is ordered that Frederick H. Teese, Esquire, of Newark, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Ira Gill 24 H. vs. Eff. in Error. Eliza Wells, Admx &c.	The argument of this cause was continued by Mr. A. L. Soules of counsel for the plaintiff in error, continued by Mr. E. A. Dickerson of counsel for the defendant in error, & concluded by Mr. H. F. French of counsel for the plaintiff in error.

The State of Florida 8. Orig. vs. Complainants E. C. Anderson et al.	On consideration of the motion of Mr. N. W. Boyce, it is ordered that leave

be, and the same is hereby, granted him to file petition for the appointment of a Receiver in this cause; and that the Court will hear arguments on said petition on Thursday next, or on any day next week prior to that day, that counsel may be ready, when nothing special is before the Court.

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284. Charles Morgan, Intervenor. Appellant
vs.
The United States

(Substituted for 245.)

The argument of this cause was commenced by Mr. P. Phillips of counsel for the appellant, continued by Mr. Assistant Attorney General Hill of counsel for the appellee, and concluded by Mr. Phillips for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday, April 17th 1874.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Nathaniel Wilson, it is ordered that William S. Gilbert, Esquire, of Cairo, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. T. T. Crittenden, it is ordered that William Birney, Esquire, of Washington City, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. D. McPherson, it is ordered that Pendleton B. Edwards, Esquire, of Washington City, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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410. Peter Monges vs. Appellant / Thomas Shirley

The motion to dismiss this cause was submitted to the consideration of the Court on printed arguments by Mr. John Baden in support of the same and by Mr. H. Maynard in opposition thereto. Whereupon this Court not being now here sufficiently

advised of and concerning what order to render in the premises took time to consider.

1110. Peter Monger vs. Thomas Shirley, Appellant

Mr. H. Maynard of counsel for the appellant moved the court for leave to give appeal bond in this cause. Whereupon this court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

1611. Geo. P. Scriven, by his next friend & guardian Geo. McElwain vs. Percival P. Oldershaw, S. R. Hawes, Mary A. Stowell guardian of Edward Stowell, Clara Benjamin, Jacob Heller, Lydia Atwood, A. S. Keeler, C. G. Clark, J. M. Clark, Eva C. Campbell, W. A. Rutter, N. Vreland & Davis Studley, Appellant.

Appeal from the Circuit Court of the United States for the Northern District of Illinois

Friday April 17th 1874. continued.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and on the motion of Mr. Hill in behalf of counsel for the respective parties, and of the stipulation on file, it is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed at the costs of George C. Campbell.

Per Mr. Ch. Jus. Waite

The Steamtug "Jas. A. Wright" Sarah A. Dakin, Admx. of Silas A. Dakin dec'd., Claimant

336. vs. Appellant

Elizabeth M. Slade

of New York.

Appeal from the Circuit Court of the United States for the Southern District

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and on the dis-

ulation of the counsel for the respective parties on file and motion of Mr. Hill, in behalf of counsel, it is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed, each party to pay their own costs in this court.

per Mr. Ch. Jus. Waite.

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630. The United States vs. Alfred L. Tyler. | Appeal from Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims, and on the motion of Mr. Assistant Attorney General Hill of counsel for the appellant, it is now here ordered and adjudged by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Waite.

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630. The United States vs. Appellants / Alfred L. Tyler | On motion of Mr. J.H. Denver leave is hereby granted the Clerk to issue the Mandate in this cause.

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683. Walter D. Sprott vs. Appellant / The United States | On motions of Mr. Assistant Attorney General Hill, it is ordered by the Court that this cause be advanced on the docket, and assigned for argument on Wednesday next, the 22d instant.

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315. Henrietta Kelly, and John Kelly. vs. Appellants / N. Y. Symonton | Appeal from the Supreme Court of the Territory of Montana

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This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Montana and on the stipulation on file. On motion of Mr. Nathaniel Wilson of counsel for the appellants, it is now

here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Raute

The State of Florida vs. Complainant
S. Ofc. E. C. Anderson Jr. et al.

Ordered by the Court that the motion of Mr. N. G. M. Davis to dismiss this cause as to D. P. Holland, one of the defendants, be, and the same is hereby, postponed until Thursday next the 23d instant.

Ex-parte; In the matter of James S. Robinson
H. Original Petitioner

Ordered by the Court that the argument of the return to rule filed in this cause be, and the same is hereby, postponed until Thursday next the 23d instant.

Friday April 17th 1874, continued.

296. The Home Insurance Company of New York. v. Plff. in Error. John H. Morse et al. | This cause was argued by Mr. H. M. Finch of counsel for the plaintiff in error, and submitted on printed arguments by Mr. J. H. Carey of counsel for the defendants in error.

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297. The Phenix Insurance Company of Brooklyn. v. Plff. in Error. Francis N. Clemens et al. | In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with the plaintiff in error to pay the costs in this court as per stipulation.

Per Mr. Chief Justice Waite.

John L. Priest 298. vs. Plff. in Error John B. Folger	Ordered by the Court, that these cases be, and the same are hereby passed until Monday next.
Supply C. Thwing 299. vs. Plff. in Error John B. Folger and Edward Habich et al. 300. vs. Plff. in Error John B. Folger.	

N. A. McPhail et al. 301. vs. Plffs. in Error John W. Lapsley.	The argument of this cause was commenced by Mr. T. J. Durant of counsel for the plaintiffs in error & continued by Mr. P. Phillips for the defendant in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, April 20th 1874.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice.

Associate Justices

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Ward Hunt

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

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280. The Pacific Railroad Co. vs Plff. in Error Constantine Magwire

In Error to the Supreme Court of the State of Missouri.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and was argued by counsel. On consideration whereof, it is now here

ordered and adjudged by this Court, that the judgment of the said Supreme Court, in this cause be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby, remanded to the said Supreme Court with instructions to enter a judgment in conformity with the opinion of this Court.

Dissenting: per Mr. Justice Hunt.
Mr. Jus. Clifford
" " Miller.

(Mr. Justice Strong did not sit on the argument of this cause and took no part in the decision.)

The Metropolitan Washing Machine Company. Appellants
vs. Appeal from the Circuit Court of the United States for the District
257. The Providence Tool Co.
of Rhode Island.

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the District of Rhode Island, and was argued by Counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Strong.

262. John P. Humaston vs. Plff. in Error, The American Telegraph Company. | In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be,

and the same is hereby, affirmed with interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of New York, with costs to the plaintiff in the Circuit Court, the plaintiff in error to pay the costs in this Court.

Per Mr. Justice Davis.

73. The First National Bank of Washington et al. vs. The State of Texas. Appellants. Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby, remanded

to the said Supreme Court with directions to dismiss the bill.

Per Mr. Justice Miller.

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284. Oscar A. Burton vs. Plff. in Error, E.R. Hard, Admr. of Wm. S. Griggs, decd. | In Error to the Circuit Court of the United States for the District of Vermont.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Vermont, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the courts of the State of Vermont.

Per Mr. Justice Swayne.

Mr. Justice Bradley did not sit on the

argument of this cause and took no part in the decision.

	The North Missouri R.R. Co. & Morris K. Jessup vs. Constantine Maguire.	In Error to the Supreme Court of the State of Missouri.
281.	Plaintiffs in Error.	

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and was argued by counsel - On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Clifford

Dissenting:
Mr. Chief Justice Waite.

Mr. Justice Strong did not sit on the argument of this cause and took no part in the decision.

216.	The United States vs. Appellant The Steamer "Montello." and The Home Insurance Co. of New York. vs. Plff. in Error John F. Morse and C.C. Paige.	Ordered by the Court that these cases be set down for re-argument on the Second Monday of the next term.

410.	Peter Monger vs. Appellant Thomas Shirley	On consideration of the motion to dismiss this cause, and of the argument of counsel thereupon had, as well in support of as against, it is now here ordered by the court that the appeal stand dismissed upon the motion of the appellee, unless the appellant shall within sixty days from the entry hereof, file with the Clerk of this Court a bond with security to be approved by the Clerk, in the sum of five hundred dollars conditioned for the payment of such costs as upon

the affirmance of the decree may be adjudged against him.

Per Mr. Chief Justice Waite.

The Reporter of the Court having represented to it, that one volume will not contain all the decisions of the term- Ordered that he publish a second volume for the present term as provided by the act of March 2d 1867.

301. N. A. McPhail et al. vs. Plffs. in Error / John W. Lapsley- | The argument of this cause was continued by Mr. P. Phillips of counsel for the defendant in error & concluded by Mr. F. J. Durant for the plaintiffs in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday, April 21st 1874.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened.

The Railway Passengers Assurance Company of Hartford, Connecticut. vs. Plff. in Error.	In Error to the Circuit Court of the United States for the Southern District of Illinois
508. Daniel N. Tooley, Admr of John Tooley, deceased.	

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and on the motion of Mr. L. K. Bass of counsel for the plaintiff in error, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Waite.

The State of Florida 8. Orl. vs. E. C. Anderson jr. et al. | Mr. W. W. Boyce filed petition & exhibits &c. of D. P. Holland one of the defendants in this cause.

Thomas F. Ryan et al. vs. Plffs. in Error, The United States | 23d. On motion of Mr. Assistant Attorney General Goforth, leave is hereby granted the Clerk to issue the mandate in this cause.

Tuesday, April 21st 1874. continued.

Ex-parte: Jas. S. Robinson Petitioner
14. Original — | By leave of Court Mr. Durant filed demurrer and notice to defendant.

John L. Priest
298. vs. Plff. in Error
John B. Folger.

Supply C. Thwing
299. vs. Plff. in Error
John B. Folger
and
Edward Habich et al.
300. vs. Plff. in Error
John B. Folger.

These causes were argued by Mr. Dudley Field of counsel for the plaintiffs in error, and by Mr. John C. Dodge of counsel for the defendants in error.

Meilton Martin et al.
303. vs. Appellants
The United States

This cause was submitted to the consideration of the court on the record and printed arguments by Messrs. Chipman & Hosmer & D. J. Durant of counsel for the appellants, and by Mr. Assistant Attorney General

Hill for the appellees.

The Great Western Insurance Company v. Pfff in Error James Fogarty.	This cause was argued by Mr. W. M. Evarts of counsel for the plaintiff in error, and by Mr. S. P. Nash of counsel for the defendant in error.

304.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday, April 22d 1874.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. T. K. Bartley, it is ordered that Charles A. Ray, Esquire, of Washington City, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this

behalf by Mr. James M. Carlisle, it is ordered that R. F. Brent, Esquire, of Baltimore, State of Maryland, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the court in this behalf by Mr. Wilkinson Call, it is ordered that Arthur D. Basnett, Esquire, of Jacksonville, State of Florida, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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733 The United States, Appts. vs. Thomas Fugitt
734 " " " " " J. D. Townley
735 " " " " " John Cullen
736 " " " " " Charles Wood
737 " " " " " Timothy Craven
738 " " " " " John Wild
739 " " " " " John Donnelly
740 " " " " " O. H. O. Hoffman
741 " " " " " Patrick Welch
742 " " " " " James Hannan
743 " " " " " Thomas Durkin

744. The United States, Appts. vs. John Smith
745. " " " " " Maurice Thicker
746. " " " " " Geo. A. Bell

(Specially Assigned.)
The argument of these cases was commenced by Mr. Assistant Attorney General Goforth of counsel for the appellants, continued by Mr. J. Patrick of counsel for the appellees in Nos. 733, 734, 735, 736 & 737, by Mr. C. P. Culver of counsel for the appellee in No. 746, by Mr. N. P. Chipman of counsel for the appellees in Nos. 738, 739, 740, 741, 742, 743, 744 & 745, and concluded by Mr. Assistant Attorney General Goforth of counsel for the appellants.

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683. Waller D. Sprott vs. Appellant, The United States | (Specially Assigned.) The argument of this cause was commenced by Mr. George Taylor of counsel for the appellant. The Court declined to hear the Attorney General in reply - and concluded by Mr.

Wednesday, April 22d 1874, Continued.

R. M. Corwine of counsel for the appellant.

305.	Edward C. Kohr et al vs. J. Ford Smith, Assignee.	The argument of this cause was commenced by Mr. Nathaniel Myers of counsel for the appellants.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday, April 23d 1874.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Honorable A. G. Thurman it is ordered that George E. Seney, Esquire, of Tiffin, State of Ohio, and Hon. William R. Steele of Cheyenne, Wyoming Territory, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

463. The County of St. Clair vs. Pltff. in Error John B. Livingston et al. | On motion of Mr. P. Phillips leave is hereby granted him to withdraw from the files of this Court the transcript of the record in this cause upon his filing a receipt therefor.

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8. orgl. The State of Florida vs. Complainant E. C. Anderson Jr., D. P. Holland et al. | Mr. Wilkinson Call files petition and amended notice of Robert H. Johnson et al., holders of Pr. mortgages bonds, to be made parties in this cause.

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8. orgl. The State of Florida vs. Complainant E. C. Anderson Jr., et al. | Mr. W. G. M. Davis, in behalf of Mr. H. Bisbee Jr., filed consent of D. P. Holland that the case be dismissed as to him, as one of the defendants in this cause.

Thursday, April 25th 1874, continued.

The State of Florida
8. orgs. vs. Complainant
E.C. Anderson jr. et al.

Mr. Birney filed petition of William H. Goode, Attorney General of Florida, to dismiss or modify the bill filed in this cause.

Edward C. Kehr et al.
305. vs. Appellants
John Ford Smith, Appellee.

The argument of this cause was concluded by Mr. Nathaniel Myers of counsel for the appellants, and submitted on printed arguments by Mr. S. Knox of counsel for the appellee.

The State of Florida
8. orgs. vs. Complainant
E.C. Anderson jr. et al.

The motions for the appointment of a Receiver in this cause was argued by Mr. H. K. Jackson and Mr. W. W. MacFarland in support of the motion, and submitted on printed briefs by Mr. H. Bisbee, junior, in opposition thereto. Whereupon this Court

not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

Ex parte: Jas. S. Robinson
11. Original — Petitioner.

The return to the rule heretofore issued in this cause, and motion for peremptory mandamus on the Judge of the District Court of the United States for the Western District of Arkansas, was argued by Mr. T. J. Durant in support of the same. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises, took time to consider.

Antonio Ricardi
306. vs. Aff. in Error
The State of Alabama.

The argument of this cause was commenced by Mr. P. Phillips of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday, April 24th 1874

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. Matt. H. Carpenter it is ordered that Honorable John J. Ingalls of Atchison, State of Kansas, and W. P. Adair, Esquire, (Cherokee Nation) of Choteau, Indian Territory, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Assistant Attorney General Hill, it is ordered that Joseph R. Johnston, Esquire, of Canfield, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. B. Sanborn, it is ordered that T. D. W. Yonley, Esquire of Little Rock, State of Arkansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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306. Antonio Ricardi vs. The State of Alabama | Pff. in Error

The argument of this cause was concluded by Mr. S. Phillips of counsel for the defendant in error and submitted on printed arguments by Mr. S. F. Rice and Mr. J. A. Elmore of counsel for the plaintiff in error.

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703. Henry H. Raymond vs. Plff. in Error William M. Thomas

The motion to restore the supersedeas or allow a writ of error on giving a supersedeas bond, was argued by Mr. P. Phillips in support thereof, and by Mr. N. W. Boyce in opposition thereto - Whereupon this Court not being now sufficiently advised of, and concerning what order to make in the premises took time to consider -

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691. Christian S. Eyster vs. Plff. in Error Thomas J. H. Taft,

Mr. J. A. Wills having stated to the court that the bond, required by a previous order of this court in this cause, could not be executed, owing to the fact that the Chief Justice of the Supreme Court of Colorado who allowed the citation being out of office; and having produced a bond approved by two associate Justices of said Court: said bond was approved by this Court and ordered to be filed.

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3. The Mayor &c of Mobile vs. Plff in Error, Wm E. Leverich et al. | Ordered by the Court that the motion of Mr. J. M. Carlisle to rescind and annul the judgment of dismissal entered in this cause, and to reinstate the same on the docket be, and the same is hereby, continued to the next term.

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402. The United States vs. Plaintiffs Elijah Ross Sufaugh. | On motion of Mr. Assistant Attorney General Hill, it is ordered by the Court that this cause be, and the same is hereby, continued to the next term.

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624. Edward Burgess vs. Plff in Error Jas. C. Babbitt, Assignee | The motion of Mr. T. J. Durant for leave to file new and sufficient bond in this cause was submitted to the consideration of the Court.

Friday, April 24th 1874. Continued.

The State of Florida ex rel. Complainant
vs.
E. Anderson Jr. et al.

On consideration of the petition filed in this cause by Mr. N. Call, praying that R. H. Johnson et al., be made parties defendants in this cause, and of the argument of counsel thereupon had, it is now here ordered by the court, that the bondholders, represented in their petition by their solicitor Mr. Call, have leave to file such pleadings in the case as they may be advised are necessary to protect their rights subject to the demurrer or exceptions, as the case may be, of the other parties in the case, and that copies of such pleadings be served on the counsel for all the respective parties in the case; and that this order admitting said bondholders to appear as defendants herein, be subject to the right of the complainant to except thereto, and to show cause why the same should not be granted.

The State of Florida
8 orig. vs. Complainant
E. C. Anderson Jr., et al

Mr. H. R. Jackson filed motion to take testimony, on filing interrogatories, in this cause; On consideration whereof, it is now here ordered by the Court that said motion be, and the same is hereby, denied.

Susan L. Wallack, Jam[es] &
Richard L. Wallack, Chas. N.
Wallack & J. M. Wallack, by his
next friend R. L. Wallack, heirs
at law of Chas. S. Wallack, dec[d].
vs. Appellants.
37. Margaret Wallack, Executrix, &
Margaret Wallack, Jennie
Wallack, et al, devisees of Wil-
liam Douglass Wallack, dec[d].

Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and on the motion of Mr. R. T. Merrick, of counsel for the appellants, it is now here or-

dered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

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77. The Board of Commissioners of Boise County & B. F. Davis vs. Plffs. in Error — John Gorman

The motion to restore B. F. Davis to the office of Assessor of Boise County, was argued by Mr. Henry E. Prickett in support of the same and by Mr. A. S. Foote, and by Mr. G. N. Pascal in opposition thereto. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

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335. Nelson Edwards et al vs. Plffs. in Error — George W. Elliott et al.

The motion for a writ of certiorari in this cause was argued by Mr. A. L. Kreasby in support of the same, and by Mr. D. McMahon in

opposition thereto - Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

613. William H. Goodrich et al. vs. Plffs. in Error - John N. Beach | The motion to dismiss the writ of error in this cause was submitted to the consideration of the court on printed arguments by Mr. P. Phillips in support of the same and by Mr. A. T. Akerman in opposition thereto - Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

214. Dominga de Vincente Peralta, H. W. Carpentier, H. A. Carpentier, J. E. Smith & The Oakland Water Front Company, Intervenors. vs. Appellants The United States. | On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the District

of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California and on the points or questions on which the judges of the said Circuit Court were opposed in opinion, and which were certified to this Court for its opinion agreeably to the act of Congress in such case made and provided, and on the motion of Mr. Assistant Attorney General Hill and consent of Mr. Carlisle of counsel for the appellants, it is ordered that leave be granted to withdraw the certificate in this cause. Whereupon it is now here ordered, adjudged, and decreed by this Court that it be so certified to the said Circuit Court.

per Mr. Chief Justice Waite

Antonio M Peralta, H. H. Carpentier, H. J. Carpentier, J. E. Smith, & The Oakland Water Front Co, Intervenors.
215 vs. Appellants
The United States

Cross certificate of division in opinion between the Judges of the Circuit Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California and on the points or questions on which the Judges of the said Circuit Court were opposed in opinion, and which were certified to this Court for its opinion, agreeably to the act of Congress in such case made and provided, and on the motion of Mr. Assistant Attorney General Hill, and consent of Mr. Carlisle of counsel for the appellants, it is ordered that leave be granted to withdraw the certificate in this case. Whereupon it is now here ordered, adjudged & decreed by this Court, that it be so certified to the said Circuit Court.

per Mr. Chief Justice Waite.

The State of Florida

8. Original - vs. Complainant

Daniel P. Holland, Edward C. Anderson, junior, J. Frederick Harring, Thomas J. McPhisk, Wallace Cummins, Lewis A. Nicol, George Robertson, Valentine Grest, James Hunter, John McGuard, Joseph S. Bayard, who are citizens and residents of the State of Georgia and all persons Holders of the first mortgage bonds of the Pensacola and Georgia Railroad Company, and of the Tallahassee Railroad Company, corporations in the State of Florida, who may choose to become parties defendants to this suit, and Sherman Conant, Marshal of the United States for the Northern District of Florida; Gideon Maria Boisevain, Adriano Isaac Milders, Adriano Stoop, Joseph Sadoks Nicholas Jacob Den Tex, & Robert H. Johnson et al, holders of 2d mortgage bonds. Defendants.

A motion having been made on behalf of Gideon Maria Boisevain, Adriano

Isaac Milders, Adrien Stoop, Joseph Jacobs, and Nicholas Jacob Den Dex, by W. W. MacFarland, Esquire, their Solicitor in the above entitled cause, and the same coming on for hearing, for the appointment of a receiver of the property embraced and described in the bill of complaint, and the answers and cross-bill in the said cause and the respective parties appearing in the said cause having been duly heard by their respective solicitors and counsel; upon such hearing and upon the said bill of complaint, the several answers and cross-bills therein and thereto, and the affidavit of Samuel A. Strang, the premises having been duly considered:

It is ordered, adjudged, and decreed that a receiver be appointed of the railroad, real and personal property and franchises now or lately in the possession of the Jacksonville, Pensacola and Mobile Railroad Company, particularly described in the several pleadings

in this cause, consisting among other things of a line of railroad extending from Jacksonville, in the State of Florida, to the Apalachicola River in the said State, together with a certain branch line extending from Tallahassee to St. Marks, in the said State; the said line of road consisting of about sixty miles of railroad described in the pleadings in this cause as having been heretofore known as the Florida Central Railroad, and now claimed for certain purposes to still exist under that name; and of a certain other line of road, consisting of about one hundred and thirty miles in length, and extending from Lake City, in the said State of Florida, to Quincy, in said State, heretofore known as the Pensacola & Georgia Railroad and still claimed in the pleadings in this cause to exist for certain purposes as such; a certain other line of road consisting of about twenty miles in length, and extending from Quincy in the said

State, to the Apalachicola River, in the said State, and a certain other line of road extending from Tallahassee in said State to St. Marks, a distance of about twenty-one miles, and heretofore known as the Tallahassee Railroad, together with the lands, tenements, easements, fixtures, privileges, rights of way, and all and singular the property, its revenues and income, franchises and privileges of every kind and description specified or purporting to be specified and embraced, or intending to be specified, embraced, and described in the bonds of the said railroad companies heretofore issued and delivered to the State of Florida, in exchange and as security for the bonds of the said State as set forth and alleged in the several pleadings in this cause; together also with the rents, profits, and income of the said property heretofore growing out of the said premises or any part thereof, and now existing in specie as

choses in action or otherwise; together also with all books, papers, records, accounts, and documents of every kind and description in anywise appertaining to the premises and now in possession of the said Jacksonville, Pensacola, and Mobile Railroad Company or any other corporation or corporations heretofore running or operating line of railroad hereinbefore described or any part thereof.

It is further ordered, adjudged, and decreed, on motion of William N. MacFarland, Esquire, Solicitor etc, that Robert Walker, of Tallahassee in said State of Florida, be appointed such Receiver, with such compensation for his services in that capacity as this court hereafter upon further hearing may determine; that the said Robert Walker, as such Receiver, be, and he is hereby authorized, empowered, and directed immediately to take and hold full possession of all and singular the

premises subject to the order and direction of this Court, from time to time, in the premises, and with leave to apply from time to time for such orders and directions as he may be advised are necessary and proper to enable him to discharge his duty as such receiver.

It is further ordered, adjudged, and decreed that all and singular every person and corporation, and the servants, employees, and agents of every person and corporation now having or claiming to have possession of the premises and property embraced in this order, or any part or portion thereof, be, and they severally are strictly commanded and enjoined to surrender possession thereof to the said receiver, to attorn to him, and to obey and respect his authority in the premises, according to the full and true tenor, intent, and meaning of this order, under the pains and penalties attaching by law to disobedience thereof.

It is further ordered, adjudged, and decreed that the said Receiver in the exercise of a reasonable discretion and with due regard to the rights and interests of all the parties in this cause, be, and he is hereby, authorized to run and operate the entire line of said road hereinbefore described, and every part thereof, in the interest of the said bondholders, and in the interest of the owners of the property, to keep the same and its equipments in repair; to make such additions as may be required to keep up to a proper standard of capacity and efficiency the means of transportation on said road, to employ and pay and dismiss all needful agents and servants and to make purchase of needful material and supplies, to pay all lawful taxes and assessments upon the premises; to protect and preserve all franchises touching the premises as far as may be needful; to institute

and defend suits and proceedings necessary to a proper discharge of his duty in the premises, and to that end to employ solicitors and counsel; and generally to do all acts and things proper and necessary to be done to protect the franchises, property, and rights of which he is appointed receiver, and needful to promote the business and increase the earnings of the premises, and the several parts thereof, including the compromise and payment of claims for injury, loss, and damage to property and persons growing out of the operation of the said road, all of such acts and doings to be subject to the approval of this Court.

It is further ordered, adjudged, and decreed that said receiver keep full, particular and accurate accounts of the earnings, expenditures, and receipts of the entire line of road and of the property of which he is hereby appointed re-

ceiver; that so far as practicable a sep-
arate account shall be kept of the
earnings of said line of road from
Jacksonville to Lake City, from
Tallahassee to St. Marks, and from
Lake City to Quincy and from Quincy
to the Apalachicola River. And the
said receiver is hereby required to file,
once in every three months, during
the period of this receivership, with
the Clerk of this Court, and oftener if
required by the order of this Court,
a full, true, and just account of
his receipts and disbursements in the
premises and obligations incurred
in connection therewith and with
this receivership.

It is further ordered, adjudged,
and decreed that as soon as prac-
ticable after taking possession of the
premises and property embraced in
this order, the said receiver do cause
an inventory and description to be
made of the engines, cars, tenders
and all other rolling stock, equip-

ment, materials, supplies, fuel and other personal property of which he is appointed receiver; stating its kind, quantity, amount and situation, and that he make oath to the same and file a copy thereof with the Clerk of this Court. And that the said receiver be authorized to pay from and out of the earnings of the said property all sums of money now in arrear and payable and hereafter to become due and payable, to laborers and servants actually employed and to be employed in the operation of the said roads and the care and preservation of the said property.

It is further ordered, adjudged, and decreed that the said receiver hereby appointed do forthwith file his bond in the sum of Two hundred thousand dollars with adequate surety or sureties; the same to be endorsed with the approval of the Chief Justice of this Court and filed with the Clerk of this Court. And that he enter upon the performance of

his duties as such receiver immediately upon the filing of such bond.

Per Mr. Chief Justice Nash.

Proclamation being made the Court is adjourned until Monday morning the fourth day of May next at twelve o'clock.

Monday May 4th. 1874.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. L. P. Poland, it is ordered that W. H. Turner, Esquire, of Quincy, State of Illinois, and Hon. T. J. Cason of Lebanon, State of Indiana, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

Monday, May 4th 1874. Continued.

On motion first made to the Court in this behalf by Mr. R. D. Mussey, it is ordered that Jonathan Marshall, Esquire, of New York City, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Attorney General Williams it is ordered that Ernest Dichman, Esquire, of Washington City, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. E. R. Hoar it is ordered that Hon. L. Crounse, of Ft. Calhoun, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas Wilson, it is

ordered that R. P. Lowe, Esquire, of Washington City, District of Columbia be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. Robert S. Hale, it is ordered that Walter L. Sessions, Esquire, of Panama, State of New York, and Francis N. Kelley, Esquire, of Cleveland, State of Ohio, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Hon. A. A. Harrison, it is ordered that G. W. Hazzie, Esquire, of Washington City, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

288. Edward Creighton vs. Plff. in Error John Kerr & Alexander Lobb | In Error to the Supreme Court of the Territory of Colorado.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Colorado, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Hunt.

Mr. Justice Bradley did not sit on the argument of this cause and took no part in the decision.

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298. John L. Priest vs. Plff. in Error John B. Folger | In Error to the Supreme Judicial Court of the State of Massachusetts.

This cause came on to be heard on

the transcript of the record from the Supreme Judicial Court of the State of Massachusetts, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Judicial Court in this cause, be, and the same is hereby, affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Massachusetts.

per Mr. Justice Hunt.

299. Supply C. Thuring, Plff. in Error, v. John S. Folger. | In Error to the Supreme Judicial Court of the State of Massachusetts.

This cause came on to be heard on the transcript of the record from the Supreme Judicial Court of the State of Massachusetts, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Judicial Court in this cause be, and the same is hereby, affirmed with costs and

interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Massachusetts.

per Mr. Justice Hunt.

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300. Edward Habick, Henry Rueder & A. Meyer vs. Plffs. in Error / John B. Folger. | Error to the Supreme Judicial Court of the State of Massachusetts

This cause came on to be heard on the transcript of the record from the Supreme Judicial Court of the State of Massachusetts, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Judicial Court in this cause be, and the same is hereby, affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Massachusetts.

per Mr. Justice Hunt.

Monday, May 4th 1874. Continued.

George N. Brown
vs. Appellant.
Rufus B. Child, Executor
of George S. Bergen, deceased,
& Frederick P. Dixon.

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law.

per Mr. Justice Bradley.

Dissenting:
Mr. Justice Clifford
" " Miller
" " Davis

Mr. Justice Hunt took no part in the decision of this cause.

12.	George N. Brown vs. James Selby, Albert J. Eddy, Richard H. Carter, & Michael D. Spurck.	Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law.

per Mr. Justice Bradley

Dissenting:
Mr Justice Clifford
" " Miller
" " Davis

Mr. Justice Hunt took no part in the decision of this cause.

James Hornbuckle & Samuel Marshall.	In error to the Supreme Court of the Territory of Montana.
134. vs. Plffs in Error.	
John Toombs.	

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Montana, and was argued by counsel- On consideration whereof, it is now here ordered and adjudged by this Court that the judgment and decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Bradley-

Dissenting:
Mr. Justice Clifford
" " Davis
" " Strong

Mr. Chief Justice Waite did not sit on the argument of this cause and took no part in the decision.

144.	Andrew J. Davis v. Jeff. in Error, John Bilsland	In error to the Supreme Court of the Territory of Montana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Montana, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment and decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr Justice Bradley

Dissenting:
Mr. Justice Clifford
" " Davis
" " Strong

208.	Lewis H. Hershfield & Abraham Hanauer v. Appellants Joseph Griffith and William Thompson.	Appeal from the Supreme Court of the Territory of Montana.

Monday, May 4th 1874, Continued:

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Montana, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment and decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Bradley

Dissenting:
Mr. Justice Clifford
" " Davis
" " Strong

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222. The Oregon Steam Navigation Company. vs. Plff. in Error
Henry Winsor, C. Crosby, A. Crosby Jr., C.H. Hale, J.D. Howe & A.K. Elder

In error to the Supreme Court of the Territory of Washington.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Washington,

and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby, remanded to the said Supreme Court to be proceeded in according to law.

per Mr. justice Bradley

Dissenting:
Mr. Justice Clifford
" " Swayne
" " Davis

The Tioga Railroad Company.
vs. Pltff. in Error
The Blossburg & Corning Railroad Company.

In Error to the Circuit Court of the United States for the Northern District of New York.

250.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York, and

was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of New York.

Per Mr. Justice Bradley.

Dissenting:
Mr. Justice Miller

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201. Charles M. Conrad vs. The United States | In error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof, it is

now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause, be, and the same is hereby, reversed - And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to affirm the judgment of the District Court.

per Mr. Justice Strong

Dissenting:
Mr Justice Clifford
" " Davis
" " Field

Mr Justice Bradley did not sit on the argument of this cause and took no part in the decision.

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202 Duncan F. Kenner vs. Plff. in Error / The United States | In Error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

per Mr. Justice Strong

Dissenting:
Mr. Justice Clifford
" " Davis
" " Field.

Mr. Justice Bradley did not sit on the argument of this cause and took no part in the decision.

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234. The Citizens Bank of Louisiana & F. A. Marchand vs. The United States. Appeals.

Appeal from the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit

Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Strong

Dissenting
Mr. Justice Clifford
" " Davis
" " Field

Mr. Justice Bradley did not sit on the argument of this cause and took no part in the decision.

	The Merchants Bank of New Orleans.	Appeal from the Circuit Court of the United States for the District of Louisiana.
240.	vs. Appellant.	
	The United States and Wright R. Fish.	

This cause came on to be heard on the transcript of the record from the Circuit

Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Strong.

Dissenting:
Mr. Justice Clifford
" " Davis
" " Field

Mr. Justice Bradley did not sit on the argument of this cause and took no part in the decision.

241. The Citizens Bank of Louisiana vs. Plff. in Error The United States

242. The Merchants Bank of New Orleans vs. Plff. in Error The United States and Wright R. Fisk

243. F. A. Marenard vs. Plff. in Error The United States

In Error to the Circuit Court of the United States for the District of Louisiana.

These causes came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and were argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

per Mr. Justice Strong.

Dissenting:

Monday, May 4th 1874, Continued.

Mr. Justice Clifford
" " Davis
" " Field

Mr. Justice Bradley did not sit on the argument of this cause and took no part in the decision.

The United States
244. vs. Plffs. in Error.
Thomas Allen Clarke, Executor of John Slidell, deceased, Madame Mathilde Erlanger wife of Baron Emile Erlanger, Alfred Slidell, Rosine Slidell, and Caroline Slidell, heirs of John Slidell, deceased.

In Error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that

the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed. And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to affirm the judgment of the District Court.

Per Mr. Justice Strong

Dissenting:
Mr. Justice Clifford
" " Davis
" " Field

Mr. Justice Bradley did not sit on the argument of this cause and took no part in the decision.

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255. The United States vs. Plffs. in Error
Francis H. Malach, Claimant of Six lots of Ground.

In error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District

of Louisiana, and was argued by counsel-
On consideration whereof, it is now here
ordered and adjudged by this Court that
the judgment of the said Circuit Court in
this cause be, and the same is hereby,
reversed- And that this cause be, and the
same is hereby, remanded to the said Cir-
cuit Court with directions to affirm the
judgment of the District Court.

per Mr. justice Strong

Dissenting:
Mr. Justice Clifford
" " Davis
" " Field

Mr. Justice Bradley did not sit on the
argument of this cause and took no
part in the decision.

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283. The United States vs. Plffs. in Error / Charles M. Conrad Claimant of certain lots of Ground. | In Error to the Circuit Court of the United States for the District of Louisiana

Monday, May 4th 1874. Continued.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed. And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to affirm the judgment of the District Court.

per Mr. Justice Strong.

Dissenting:
Mr. Justice Clifford
" " Davis
" " Field

Mr. Justice Bradley did not sit on the argument of this cause and took no part in the decision.

252

Herman J. Pahlman David F. Rush and Charles Welsh. 566. vs. Plffs. in Error. Herman Raster.	In error to the Circuit Court of the United States for the Northern District of Illinois

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel- On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Strong

Mr. Justice Bradley did not sit on the argument of this cause and took no part in the decision.

Ex-parte: James S. Robinson 111 original- Petitioner.	On the petition of James S. Robinson praying for the writ of mandamus to be restored

to his office as attorney and to the exercising its rights, privileges, and functions in the District Court of the United States for the Western District of Arkansas, from which he had been excluded by the judgment of that Court, a rule was at the present term of this Court directed to be served on the Judge of the said District Court of the United States for the Western District of Arkansas requiring him, to show cause on or before the 10th day of April, A.D. 1874, why a writ of mandamus should not issue agreeable to the prayer of the petition.

And the said Judge of the District Court of the United States for the Western District of Arkansas, in compliance with said rule, having duly filed his return thereto together with his reasons for rendering said judgment. It is now upon consideration thereof, ordered, adjudged, and decreed that the return aforesaid is insufficient to sustain the judgment of said Court, that the rule heretofore laid be made absolute, and that a

peremptory Mandamus be issued to the said judge of the District Court of the United States for the Western District of Arkansas commanding him to restore the said James S. Robinson to his office of Attorney in said Court and to the exercise of all rights, privileges, and functions appertaining to said office.

Per Mr. Justice Field.

116. Philip S. Galpin vs. Plff in Error / Lucy S. Page

In Error to the Circuit Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court

with directions to award a new trial.

Per Mr. justice Field

282. George Mackay vs. Alton R. Easton, Aff. in Error | In Error to the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. justice Field

254. Thomas J. McQuiddy vs. Appellant, John H. Ware, John N. Ware jr. Hanson H. Ware & Nodaway County. | Appeal from the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Davis.

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286. Shepherd Knapp vs. Plff. in Error
The Troy and Boston Railroad Company.

In Error to the Circuit Court of the United States for the District of Vermont.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Vermont, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby, remanded to the

said Circuit Court with directions to remand the cause to the County Court for the County of Bennington, in the State of Vermont, from whence it was improperly removed to the Circuit Court.

per Mr. Justice Davis.

Mr. Justice Bradley did not sit on the argument of this cause and took no part in the decision.

Edward C. Kehr, Clara Meyer & Nicholas Schaeffer,		Appeal from the Circuit Court of the United States for the Eastern District of Missouri.
305.	vs.	
John Ford Smith Assignee of Martin Meyer, Bankrupt, & Peter Vogeler,	Appellants.	
interpleaded.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this

Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Davis.

Sidney A. Stoddale, Collector of Internal Revenue. Plaintiff in Error,
vs.
The Atlantic Insurance Company of New Orleans.

In Error to the Circuit Court of the United States for the District of Louisiana.

2114.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs. And that this cause be and the same is hereby, remanded to the said Circuit Court with directions to enter a judgment in favor of the defendant, Stoddale, on the agreed statement of facts in the case.

Per Mr. Justice Miller

Dissenting:
Mr. Justice Strong
" " Davis
" " Field

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267. Sidney A. Stockdale, Collector of Internal Revenue vs. Plff. in Error. The Citizens Bank of Louisiana. | In error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a judgment in favor of the defendant, Stockdale, on the agreed statement of facts in the case. Per Mr. Justice Miller.

Dissenting:
Mr. Justice Strong
" " Davis
" " Field

Monday, May 4th 1874. Continued.

Sidney A. Stockdale, Collector of Internal Revenue.
268. vs. Plaintiff in Error.
The New Orleans Canal and Banking Company.

In error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a judgment in favor of the defendant, Stockdale, on the agreed statement of facts in the case.

Per Mr. Justice Miller.

Dissenting:
Mr. Justice Strong
" " Davis
" " Field.

Monday, May 4th 1874. Continued.

469. Sidney A. Stoddale, Collector of Internal Revenue vs. Plaintiff in Error. The Orleans Railroad Company. | In Error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a judgment in favor of the defendant, Stoddale, on the agreed statement of facts in the case.

Per Mr. Justice Miller.

Dissenting:
Mr. Justice Strong
" " Davis
" " Field

Sidney A. Stockdale, Collector of Internal Revenue.
vs. Plaintiff in Error.
The Crescent City Railroad Company.

In Error to the Circuit Court of the United States for the District of Louisiana

270.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a judgment in favor of the defendant, Stockdale, on the agreed statement of facts in the case.

Per Mr. Justice Miller.

Dissenting:
Mr. Justice Strong
" " Davis
" " Field

Sidney A. Stoddale, Collector of Internal Revenue
vs. Plaintiff in Error
The Home Mutual Insurance Company.

Error to the Circuit Court of the United States for the District of Louisiana.

2/2

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a judgment in favor of the defendant, Stoddale, on the agreed statement of facts in the case.

Per Mr. Justice Miller.

Dissenting:
Mr. Justice Strong
" " Davis
" " Field.

278. Sidney A. Stoeddale, Collector of Internal Revenue vs. The New Orleans Mutual Insurance Company. | In Error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a judgment in favor of the defendant, Stoeddale, on the agreed statement of facts in the case.

per Mr. Justice Miller.

Dissenting:
Mr. Justice Strong
" " Davis
" " Field.

274. Sidney A. Stockdale, Collector of Internal Revenue vs. The Union Insurance Company of New Orleans. | In error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a judgment in favor of the defendant Stockdale, on the agreed statement of facts in the case.

Per Mr. Justice Miller.

Dissenting:
Mr. Justice Strong
" " Davis
" " Field.

Monday, May 4th 1874, Continued.

275. Sidney A. Stoddale, Collector of Internal Revenue v. The Merchants Mutual Insurance Company. | In error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a judgment in favor of the defendant, Stoddale, on the agreed statement of facts in the case.

Per Mr. Justice Miller.

Dissenting:
Mr. Justice Strong
" " Davis
" " Field.

Monday, May 4th 1874. Continued:

276. Sidney A. Stockdale, Collector of Internal Revenue vs. Plaintiff in Error
The Germania Insurance Company of New Orleans. | Error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a judgment in favor of the defendant, Stockdale, on the agreed statement of facts in the case.

Per Mr. Justice Miller.

Dissenting:
Mr. Justice Strong
" " Davis
" " Field

Sidney A. Stoddale, Collector of Internal Revenue. Pltff. in Error. vs. The Sun Mutual Insurance Company of New Orleans

In error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs, And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a judgment in favor of the defendant, Stoddale, on the agreed statement of facts in the case.

per Mr. Justice Miller.

Dissenting:
Mr. Justice Strong
" " Davis
" " Field.

Monday, May 4th 1874. Continued.

278. Sidney A. Stoddale, Collector of Internal Revenue. v. The Union National Bank of Louisiana. | In error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a judgment in favor of the defendant, Stoddale, on the agreed statement of facts in the case.

Per Mr. Justice Miller

Dissenting:
Mr Justice Strong
" " Davis
" " Field.

Monday. May 4th. 1874. Continued.

Sidney A. Stoddale, Collector of Internal Revenue. vs. Plaintiff in Error
William E. Shropshire, Samuel M. Todd, & S. N. Moody, Liquidating Commissioners of the Pelican Insurance Company.

In error to the Circuit Court of the United States for the District of Louisiana.

D'f'g.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs, And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a judgment in favor of the defendant, Stoddale, on the agreed statement of facts in the case.

per Mr. Justice Miller.

Dissenting:
Mr. Justice Strong
" " Davis
" " Field.

Monday, May 4th 1874, Continued.

293. Armand and Michel Heine, Hipolito Piguet & A. Pattet, Appellants. vs. The Board of Levee Commissioners for the Levee Districts of Madison, Carroll, et al. | Appeal from the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Miller.

Dissenting:
Mr. Justice Clifford
" " Swayne.

Mr. Justice Bradley did not sit on the argument of this cause and took no part in the decision.

The Great Western Insurance Company.
304. vs. Plaintiff in Error.
James Fogarty

In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of New York.

Per Mr. Justice Miller

The Township of Pine Grove
295. vs. Plaintiff in Error.
Edward B. Talcott.

In error to the Circuit Court of the United States for the Western District of Michigan.

Monday May 4th 1874 continued.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the courts of the State of Michigan.

per Mr. Justice Swayne

Mr. Justice Bradley did not sit on the argument of this cause and took no part in the decision.

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301. N. N. McPhaul et al. vs. Plffs. in Error John N. Lapeley.

Ordered by the Court that the writ of error in this cause be, and the same is hereby, amended by striking out the names of all the parties plaintiffs in Error in said writ except the name of N. N. McPhaul.

per Mr. Justice Swayne.

301.	A. A. McPhaul vs. Plff. in Error John N. Lapsley.	In Error to the Circuit Court of the United States for the Western District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Texas, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Swayne.

306.	Antonio Ricardi vs. Plff. in Error. The State of Alabama.	In Error to the Supreme Court of the State of Alabama.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Alabama, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment

of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Swayne.

291. William A. Simpson et al. Plff. in Error. C. S. Greeley, W. M. McPherson, S. M. Edgell, E. Miller, M. Baird, R. M. Shoemaker and J. N. Kinney, partners as Shoemaker Miller & Co., D. Ackers, W. R. Smith, George Arbold, A. Johnson, A. Barrett, A. V. Excendine, J. Leon, and J. H. Cochran. | In Error to the Supreme Court of the State of Kansas

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr Justice Clifford.

(Mr. Justice Bradley did not sit on the argument of this cause and took no part in the decision.)

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733. The United States, Appellants | Appeal from the Court of Claims
v.
Thomas Pugitt.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel.

On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Clifford.

Dissenting:
Mr. Chief Justice Waite.
Mr. Justice Swayne.
" " Davis.

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734. The United States vs. J. D. Downey | Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed.

per Mr. Justice Clifford.

Dissenting:
Mr. Chief Justice Waite.
Mr. Justice Swayne.
" " Davis.

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735. The United States vs. John Cullen. | Appeal from the Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel.

On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Clifford.

Dissenting:
Mr. Chief Justice Waite
Mr. Justice Swayne
" " Davis.

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736. The United States, Appellants | Appeal from the Court of Claims.
vs.
Charles Wood.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims, in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Clifford.

Dissenting:
Mr. Chief Justice Waite
Mr. Justice Swayne
" " Davis.

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73. The United States vs. Appellants Timothy Cravens. | Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed.

per Mr. Justice Clifford.

Dissenting:
Mr. Chief Justice Waite
Mr. Justice Swayne
" " Davis.

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738. The United States vs. Appellants. John Wild. | Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel- On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Clifford.

Dissenting:
Mr. Chief Justice Waite
Mr. Justice Swayne
" " Davis.

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739. The United States vs. Appellants John Donnelly. | Appeal from the Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel- On consideration, whereof, it is now here-

ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Justice Clifford.

Dissenting:
Mr. Chief Justice Waite
Mr. Justice Swayne
" " Davis

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740. The United States, Appellants vs. O. H. O. Hoffman | Appeal from the Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed. And that this cause be, and the same is hereby, remanded to the said Court of Claims with directions to dismiss the petition.

per Mr. Justice Clifford.

Monday May 4th 1874, Continued-

741.	The United States vs. Patrick Welch Appellants	Appeal from the Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel- On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Justice Clifford.

Dissenting:
Mr. Chief Justice Waite
Mr. Justice Swayne
" " Davis.

742.	The United States vs. James Hannan Appellants	Appeal from the Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel- On consideration whereof, it is now here ordered and

adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Justice Clifford.

Dissenting:
Mr. Chief Justice Waite
Mr. Justice Swayne
" " Davis

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743. The United States, Appellants, vs. Thomas Gurdine. | Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Justice Clifford.

Dissenting:
Mr. Chief Justice Waite
Mr. Justice Swayne
" " Davis.

Monday, May 4th 1874, Continued.

744. The United States vs. Appellants / John Smith. | Appeal from the Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. justice Clifford.

Dissenting:
Mr. Chief Justice Waite
Mr. justice Swayne
" " Davis.

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745. The United States vs. Appellants / Maurice Fuchs. | Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged

by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Clifford.

Dissenting:
Mr. Chief Justice Waite
Mr. Justice Swayne
" " Davis

The United States, Appellants | Appeal from the Court of Claims.
vs.
No. 46. George A. Bell

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed. And that this cause be, and the same is hereby, remanded to the said Court of Claims with directions to dismiss the petition.

Per Mr. Justice Clifford.

Monday, May 4th 1874, continued-

161. The United States vs. George Coos } On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the Eastern District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Wisconsin, and on the point or question on which the Judges of the said Circuit Court were opposed in opinion and which was certified to this Court for its opinion agreeably to the act of Congress in such case made and provided, and was argued by counsel-

On consideration whereof, it is the opinion of this Court that the question certified must be answered in the affirmative-

Whereupon it is now here ordered and adjudged by this Court that it be so certified to the said Circuit Court.

Per Mr. Chief Justice Waite

Monday, May 4th 1874. Continued—

230. Thomas D. Warren vs. Plff. in Error
Flora E. Van Brunt, widow of George M. Van Brunt, deceased, Henrietta E. Foster et al.

In Error to the Supreme Court of the State of Minnesota.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Minnesota, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Waite

231. Thomas D. Warren vs. Plff. in Error
Flora E. Van Brunt, widow of George M. Van Brunt, deceased, Henrietta E. Foster et al.

In Error to the Supreme Court of the State of Minnesota.

This cause came on to be heard on the transcript of the record from the Supreme

Court of the State of Minnesota, and was argued by counsel- On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Waite-

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285. Ann Osborne, Administratrix of Joseph Osborne deceased, Plaintiff in Error, vs. The United States | In error to the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel- On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with interest until paid at the same rate per annum that similar judgments bear in the

Courts of the State of Pennsylvania.
per Mr. Chief Justice Waite.

Mr. Justice Bradley did not sit on the argument of this cause and took no part in the decision-

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284.	Charles Morgan vs. The United States	Appeal from the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel- On consideration whereof, the Court being equally divided in opinion, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed.

Mr. Justice Bradley did not sit on the argument of this cause and took no part in the decision.

	Milton Martin, George N. Power, Mary Bogardus, Admx. of Peter Bogardus, deceased, & Sylvanus Finch, Executor of W. R. Finch.	Appeal from the Court of Claims
363.	vs.	
	Appellants to The United States.	

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Chief Justice Waite

	The Board of Commissioners of Boise County & Ben. F. Davis.	In error to the Supreme Court of the Territory of Idaho.
717.	vs. Plaintiffs in Error	
	John Gorman.	

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Idaho, and was

argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite

Ex parte. James S. Robinson, Appellant. | Appeal from the District Court of the United States for the Western District of Arkansas.

596.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Western District of Arkansas, and on the motion of Mr. C. H. Hornor, of counsel for the appellant, it is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

The State of Florida, Complainant v. E. C. Anderson Jr. et al. | It is ordered in this case that the Chief Justice of this Court

8 Orig.

is authorized and empowered during the vacation of the Court to make and allow all such interlocutory motions, orders, rules, and other proceedings, as by the general rules of chancery practice & by the rules prescribed by this Court for the Circuit Courts or Courts of Equity, can or may be had or done by a Judge at Chambers or at any time or place when the Court is not in term or in session.

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335. Nelson Edwards et al. vs. Affs. in Error / George N. Elliott et al.

On consideration of the motions of Mr. A. L. Kearby, for a writ of Certiorari in this cause and of the argument of counsel thereupon had as well in support of as against the same, it is now here ordered by the Court that a writ of Certiorari be, and the same is hereby, awarded without prejudice to be issued forthwith and to be directed to the Judges of the Court of Errors and Appeals of the State of New Jersey, com-

manding them, that searching the records and proceedings in the above entitled cause they forthwith certify to this Court under the seal of the said Court of Error and Appeals "Any rule entered by said Court of Error and Appeal in the above stated case subsequent to the entry of the rule to affirm the judgment of the Supreme Court of New Jersey made on the twentieth day of August, 1873, and appearing in the transcript of the record filed in this cause, by which the said rule to affirm has been in anywise corrected or vacated, and any such rule which has been substituted for said rule to affirm" — and return the same with the said writ of Certiorari forthwith to this Court.

Per Mr. Chief Justice Waite

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529. Edward Burgess vs. Plff. in Error, J. C. Babbitt, Assignee &c. | It appearing that Edward Faulds the only surety upon the supersedeas bond filed in this cause has been adjudged

a Bankrupt by the District Court of the United States for the Eastern District of Missouri since the filing in this Court of the transcript of the record in said cause, it is ordered that the plaintiff in error, within thirty days from the entry hereof, file with the Clerk of this Court a new bond in the sum of six thousand dollars with good and sufficient security to be approved by any Judge of the Circuit Court for the Eastern District of Missouri, conditioned according to law, and in default thereof that the supersedeas now in force herein be vacated.

Per Mr. Chief Justice Waite

613. William H. Goodrich et al. vs. John N. Beach. Plaintiffs in Error. | Ordered by the Court that the motion to dismiss this cause be, and the same is hereby, continued to the next term.

Monday May 4th 1874. Continued.

703. Henry H. Raymond vs. Plff. in Error, William M. Thomas. | Ordered by the Court, that a new writ of error may issue in this cause to operate as a supersedeas, if the plaintiff in error within thirty days files with the Clerk of this Court a bond in the sum of Four thousand five hundred dollars with security to the satisfaction of the Clerk conditioned according to law.

Per Mr. Chief Justice Waite

704. Noyes L. Avery, Apiqueck. vs. Plff. in Error Joseph H. Hadley et al | The death of Joseph H. Hadley one of the defendants in error in this cause having heretofore been suggested, it is now here on motion of Mr. H. H. Mattingly, of counsel for the plaintiff in error, and in pursuance of the 15th rule, ordered by this Court that unless the proper representatives of the said Joseph H. Hadley, deceased, as aforesaid, shall voluntarily become parties within the first ten days of the ensuing term

of this Court, the plaintiff in error shall be entitled to open the record and on hearing, have his cause reversed if it be erroneous, provided, that a copy of this order shall be printed in some newspaper at the seat of government in which the laws of the United States shall be printed by authority, for three successive weeks at least sixty days before the beginning of the term of the Supreme Court next ensuing.

The State of Florida vs. Complainant
8. orig. H. Anderson Jr. et all.

On motion of Mr. H. H. Boyce, leave is hereby granted him to withdraw his appearance for D. F. Holland one of the defendants in this cause.

Order.

It is now here ordered by the Court that all the cases on the docket not decided, and all the other business of the term not dis-

posed of by the Court, be, and the same are hereby, continued over to the next term of this Court.

Proclamation being made the Court is adjourned to the time and place appointed by law.

Minutes
of the
Supreme Court
of the
United States.
October
Term
1874.

Monday October 12th 1874

At the Capitol of the United States in the City of Washington and District of Columbia being the present seat of the National Government of the United States on the Second Monday of October (being the twelfth day of the same month,) in the year of our Lord One thousand eight hundred and seventy four, and of the Independence of the United States the ninety ninth the Supreme Court of the United States met agreeably to law.

Present.

The Honorable Morrison R. Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong &
Ward Hunt.
} Associate Justices.

John G. Nicolay Esquire Marshal.

Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Thomas J. Durant it is ordered that Charles R. Singleton Esquire of New Orleans State of Louisiana be admitted to practice as an attorney & counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr A.G. Riddle it is ordered that Arthur v Brisen Esquire of New York City be admitted to practice as an attorney & counsellor of this court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr W Penn Clarke, it is ordered that Lemuel B. Patterson Esquire of Iowa City, State of Iowa be admitted to practice as an attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon Reverdy Johnson it is ordered that Walter Curtis Esquire of Boston State of Massachusetts, John B. Harmon Esquire of San Francisco State of California, and Albert Ritchie Esquire of Baltimore State of Maryland be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr J. W. Denver it is ordered that Luther H. Pike Esquire of Alexandria State of Virginia be admitted to practice as an attorney & counsellor of this court & he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Attorney General Williams it is ordered that Henry G. Struve Esquire of Olympia, Washington Territory be admitted to practice as an attorney & counsellor of this Court & he was sworn accordingly.

Monday October 12. 1874 Continued

The State of Florida 3. orig. b. vs. Complainant
E. C. Anderson Jr. et al.

Mr W. H. Royce filed motion to set demurrer to cross bill of Bousquin et al. for argument

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The Chief Justice announced to the Bar that the Court would commence the call of the docket tomorrow under the 26th. rule.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday October 13th 1874

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice.

Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong &
Ward Hunt.
} Associate Justices.

John G. Nicolay Esquire Marshal.

Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened

On motion first made to the Court on this behalf by Mr James Emott it is ordered that Eugene H. Pomeroy and Merritt E Sawyer Esquires of New York City be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the court in this behalf by Mr Attorney General Williams it is ordered that Benjamin S. Brooks Esquire of San Francisco California be admitted to practice as an attorney & counsellor of this court and he was sworn accordingly.

On motion first made to the court in this behalf by Mr Rhett Phillips it is ordered that Alfred B. Pillman Esquire of Greensboro, State of Alabama be admitted to practice as an attorney & counsellor of this court, and he was sworn accordingly.

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595. James May vs Marguerite Le Claire, & Geo. L. Davenport, Executors of Antoine Le Claire, deceased, M. Le Claire et al. Appellant.

Mr J. A. Wills of counsel for the appellees having filed and read

in open court the following certificate to wit:

In the Circuit Court of the United States, within and for the District of Iowa.

I George B. Corkhill Clerk of said court for said District do hereby certify that in a certain cause wherein James May was complainant, and Marguerite LeClaire and George L. Davenport Executors of the last will and testament of Antoine LeClaire deceased, and Marguerite LeClaire George L. Davenport, Louis C. Dessaint, John P. Cook, Ebenezer Cook, George B. Sargent, Marguerite LeClaire, Francis LeClaire, Sen Francis LeClaire Jr., Eulalie LeClaire, Antoine LeClaire Henry LeClaire, Joseph LeClaire, Daniel A. LeClaire, Antoine James LeClaire, Etienne Pienvenue, Stephen Pienvenue, Adaline Herbert, Leon La Parche, Ellen La Parche, Francis Herbert, and infant heirs, David

Napoleon Le Claire, George L. Claire
Antoinette L. Claire, Mary L. Claire
and Louis L. Claire, who appear
by Gibson Browne their guardian
ad litem, were respondents a fi
nal decree of said Court was ren-
dered on the Eleventh day of
November A.D. 1872, the same being
of the October Term A.D. 1872 of said
Court from which said decree
the said complainant James
May at said time to wit, on
the Eleventh day of November
A.D. 1872, prayed an appeal to the
Supreme Court of the United States
which said prayer was on con
sideration thereof by the Court
granted and appeal allowed.
& further certify that afterwards
to wit, on the third day of June
A.D. 1873, the same being of the
May Term A.D. 1873 of said Court
the respondents Marguerite Le Claire
and George L. Davenport Executors
of the last will and testament of

Antoine Leblaire deceased appeared in said Court by their attorney John N. Rogers Esq and prayed an appeal to the Supreme Court of the United States from said decree, which said prayer was on consideration thereof by the Court granted, and appeal allowed.

In testimony whereof I hereunto subscribe my name and affix the seal of said Court at my office in Des Moines in said District, this 29th day of September A.D. 1874

Seal

George B. Corkhill
Clerk Circuit Court U.S.
District of Iowa--

and having stated that the appellant had altogether failed to file the record of said cause in this Court or in anyway to prosecute said appeal now here moved the Court in pursuance of the 9th rule of this court to have this appeal docketed and dismissed. On consideration

whereof it is now here ordered adjudged and decreed by this court that this appeal be, and the same is hereby docketed and dismissed with costs - And that this cause be, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice the said appeal notwithstanding.

per Mr Chief Justice Waite.

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595. James May
vs Appellant
Marguerite Leblaire et al. | On motion of Mr J. A. Wells, it is ordered that leave be granted the Clerk to issue the mandate in this cause.

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33. Catharine A. Rodd adm.x &c.
vs Appellants
Henry G. Heartt et al | On motion of Mr J. D. McPherson it is ordered that leave be granted Mr Andrew Boardman

384 The Derby Coal Company vs. Roderick F. Clow | In Error to the Circuit Court of the United States for the Western District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Pennsylvania and on the motion of Mr R. M Conwell in behalf of the respective parties and stipulation on file it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed at the cost of the defendant in error.

per Mr Chief Justice Waite.

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254 The Derby Coal Co. vs Piff. in Error Roderick F. Clow | On motion of Mr R M Conwell on behalf of Counsel it is ordered that

Leave be granted the Clerk to issue the Mandate in this cause.

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362 The Commonwealth National Bank vs. Samuel Dickson assignee of John Reakirt a bankrupt. | Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and on the motion of Mr F. M. Corwine in behalf of counsel for the respective parties, and stipulation on file, it is now here ordered adjudged and decreed by this Court, that this appeal be, and the same is hereby dismissed with costs.

Per Mr Chief Justice Waite.

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362 The Commonwealth National Bank Appellant vs. Samuel Dickson, assignee of John Roakes a bankrupt

On motion of Mr R. McCowine it is ordered by the Court that leave be granted the Clerk to issue the mandate in this cause.

Bonif. The State of Florida Complainant vs. E. C. Anderson Jr. et al

On motion of Mr H. W. Joyce it is ordered that the demurrer to Crop Bill of Bonseverain et al be set for argument on next Friday week the 23d instant.

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18 H. S. Tilis Plff in Error vs. The United States

On motion of Mr D. A. Wells it is ordered that this case be passed.

Tuesday October 13th 1874. Continued.)

36. Dennis G. Littlefield et al. vs. John S. Perry, trustee &c. Appellants. | On motion of Mr H.H. Coats in behalf of the respective counsel, it is ordered that this case be not called for argument before the first Monday of December next.

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17. The First National Bank of Clarion vs. J. B. Jones assignee &c. Plaintiff in Error. | On motion of Mr J. A. Wills it is ordered that this case be not called for argument before the first Monday of December next.

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1. George F. Kelly vs. The City of Providence. Complainant. | Ordered by the Court that this cause be, and the same is hereby continued to the next term (per agreement of counsel.)

3 John K. Smith
vs Pff in Error
The United States.

On motion of Mr Attorney General Wil
liams it is ordered by the Court that this cause be, and the same is hereby continued to the next term.

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5 The City of New Orleans
vs Appellant.
The New York Mail
Steamship Company.

This cause was argued by Mr H. Hornblower of counsel for the appellant, and by Mr James Emott of counsel for the appellee.

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6 Wm N Gaines et al.
vs Pffs in Error
J C Hale & H. K Reator

Ordered by the Court that this cause be, and the same is hereby passed pursuant to the order made at December Term 1872.

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7. Andrew Hamilton et al vs Plffs in Error. Joseph R. Dillon. | Ordered by the court that this cause be passed until Monday next, after the argument of the cases assigned for that day.

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9. William J. McComb Surviving Executor of Robert McComb dec'd. vs Plff. in Error The County Commissioners of Knox Co. Ohio. | In Error to the Court of Common Pleas of the County of Richland State of Ohio.

This cause came on to be heard, on the transcript of the record from the Court of Common Pleas of the County of Richland State of Ohio, and it appearing to the Court that this is the second term at which this cause has been called for argument and that neither party is now prepared to argue the same, it is considered,

by the court that this cause should be dismissed pursuant to the 19th rule of this Court. Whereupon it is now here ordered and adjudged by this court that this writ of Error be, and the same is hereby dismissed with costs. And that this cause be, and the same is hereby remanded to the said Court of Common Pleas to be proceeded in according to law and justice

per Mr Chief Justice Waite.

Levi Haldeman, J. G. Hussey, and James Fermer.
vs. Plaintiffs in Error.
Isaiah Silover and James Seba

In Error to the Circuit Court of the United States for the Western District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United

States for the Western District of Pennsylvania and on the authority of Mr James Veech of Counsel for the plaintiffs in Error on file, it is now here ordered and adjudged by this Court, that the writ of Error in this cause be, and the same is hereby dismissed with costs.

per Mr Chief Justice Waite

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11. Samuel McClelland et al. Appellants. vs. The United States. | Ordered by the Court that this cause be passed to be argued with No 7.

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12. B. F. Randolph Appellant. vs. Roswell F. Howard, admr of Richard Randolph dec'd, & William D. Johnson Exr of William A. Rudd, dec'd et al. | Appeal from the Circuit Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and it appearing to the Court that this is the second term at which this case has been called for argument, and that neither party is now prepared to argue the same it is considered by the Court that this cause should be dismissed at the cost of the appellant pursuant to the 19th rule of this court. Whereupon it is now here ordered adjudged and decreed by this Court that this appeal be, and the same is hereby dismissed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

Per Mr Chief Justice Waite.

Tuesday October 13th 1874. Continued.

13	Cornelius Cadle Jr. Exctr. vs. George Baker & Company.	Plaintiff in Error	Ordered by the Court that

this cause be passed until Thursday next.

Proclamation being made the Court is adjourned until Thursday next at twelve o'clock.

Thursday October 15th 1874.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice.

Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Ward Hunt
} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Archibald Hopkins it is ordered that William H. Swift Esquire of Chicago State of Illinois be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Philips Phillips it is ordered that Edward J. Read and Benjamin J Lea Esquires of Brownsville State of Tennessee and Albert H. Bingham Esquire of Mount Morris State of New York be admitted to practice as Attorneys & Counsellors of this Court and they were sworn accordingly

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On motion first made to the Court in this behalf by Mr R. H Johnson it is ordered that William Grant Esquire of New Orleans State of Louisiana be admitted to practice as an attorney & counsellor of this Ct he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Louis Janin it is ordered that Charles Andrew Johnson Esquire of New Orleans State of Louisiana

be admitted to practice as an attorney, and Counsellor of this court and he was sworn accordingly.

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16. Richard C. Kimball dal. vs. Pltffs. in Error. / William F. Evans et al. | On motion of Mr T. W. Bartley it is ordered by the court that this cause be, and the same is hereby continued to the next term.

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15. Charles P. Moorman and Milton J. Hardy Appellants, vs. Walter Hoge, Eli Chilcott and B. Radovich. | Appeal from the Circuit Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and on the motion of Mr C. H. Hill of counsel for the appellants,

it is now here ordered adjudged and decreed by this court that this appeal be and the same is hereby dismissed with costs.
per Mr Chief Justice Waite

Augustus J. Ambler
24. vs Appellant
Rodney M. Whipple et al.

On motion of Mr R. D. Mussey it is ordered that this cause be passed until the 13th of November.

Cornelius Cadle Jr. Rec'r &c.
13. vs Pltff in Error
George Baker & Company.

On motion of Mr Asst. Attorney Gen. Hill it is ordered that this cause be passed for the present.

Alexander Handy et al.
14. vs. Appellants.
James Harbin et al.

This cause was argued by Mr B. F. Brooks of Counsel for the Appellants, & by Mr J. B. Harmon for the appellees.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday October 16th 1874.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice

Noah H Swayne
Samuel F Miller
Stephen J Field
William Strong
Ward Hunt.
} Associate Justices

John G Nicolay Esquire Marshal.

Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Hon Reverdy Johnson it is ordered that Thomas H. Hall junior Esquire of Baltimore State of Maryland be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.-

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Friday October 16th 1874 Continued.

On motion first made to the Court in this behalf by Mr Philip Phillips it is ordered that Samuel M. Pickard Esquire of Chicago State of Illinois, be admitted to practice as an attorney & counsellor of this Court, and he was sworn accordingly.

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2. The Mayor &c of Mobile vs Pltff in Error. William C. Levich et ab

The argument of the motion to reinstate this cause on the docket was commenced by Mr John D. McPherson in support of the same, continued by Mr P. Phillips and Mr John A. Campbell in opposition thereto, and concluded by Mr McPherson in favor of the same. Whereupon this Court not being now here sufficiently advised of & concerning what order to render in the premises took time to consider.

1147. The Town of Danville vs. J. B. Pace — Plaintiff in Error.

and

1148. The Town of Danville vs. J. B. Pace — Pff in Error.

The motion to dismiss these cases was submitted to the consideration of the Court on printed arguments by Mr F. L. Smith in support of the same and by Mr P. Phillips in opposition thereto: Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

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305. W. H. Goodrich et al. vs. John T. Beach — Pffs. in Error.

The motion to dismiss this cause was submitted to the consideration of the Court on printed arguments by Mr P. Phillips in support of the same, and by Mr J. T. Akerman in opposition thereto: Whereupon this Court not being

now here sufficiently advised of and concerning what order to render in the premises took time to consider.

The State of Florida ex rel. Complainant
vs
C. C. Anderson Jr. et al.

On the motion of Mr H. H. Boyce, and the petition of Robert Walker as Receiver of the Florida Central, and Jacksonville Pensacola and Mobile Railroads, in the State of Florida in this cause, it is now here ordered by the court that a preliminary writ of injunction or restraining order be, and the same is hereby awarded, restrainning C. H. Cowgill Comptroller of the State of Florida from collecting taxes from the said Railroads in the possession of said Receiver, until the hearing and decision by this court of the petition filed by the Receiver.

The State of Florida
3 orig: Bs Complainant
E. C. Anderson Jr et al.

On motion of Mr W W Boyce it is ordered by the Court that the demurrers to amended bill, and to the Cross bill of Boisdain et al, and the motion to dismiss the Cross bills, and the amended bill of the State, so far as the same relates to the Jacksonville Pensacola and Mobile Railroad Company, and all other parties defendants, who do not appear from the averments of the bill to be citizens of the States other than the State of Florida, be, and the same are hereby set down for argument on Friday the 13th day of November next.

The State of Florida
3 orig: Bs Complainant
E. C. Anderson Jr et al.

On the motion of Mr E. H. Grandin it is ordered that the petition of the Rogers Locomotive

Works in this cause, be, and the same is hereby set down for argument on Friday next the 23d instant.

The State of Florida
3 orig. vs. Complainant
E. C. Anderson Jr. et al

On motion of Mr H. Pisbee jr., Ordered that leave be granted the complainant to file replication in this cause.

The Union Pacific Railroad Company.
1491 vs. Appellants
Edward C. McShane trustee &c. et al. -
and
E. C. McShane, trus'e &c. et al.
1493 vs. Appellants
The Union Pacific R.R. Co.

Mr Clinton Briggs moved the Court to advance these cases on the dock. et. and assign a day for the argument of the same. On consideration whereof it is now here ordered by the court that said

motion be, and the same is hereby granted. and cases assigned for argument on the second Monday of December next.

Horatio H. Hunnewell. vs. Appellant.
604 The County of Cass et al. | On consideration of the motion of Mr Clinton Briggs it is ordered that this cause be advanced on the docket, and assigned for argument on the second Monday of December next.

Robert A. Phillips vs. Plff. in Error.
429 Charles H. Payne. | Mr Willough-by moved the Court to advance this cause on the docket, and assign a day for argument. Thereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

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526. Joseph W. Stow
Ds. Appellant.
The Russell & Erwin Manufacturing Company

Mr Edmund Jenner of Counsel for the appellant having suggested the death of Joseph W. Stowe the appellant in this cause and filed letters testamentary appointing his executors: moved the Court for an order substituting Maurice Dore & William B. Isaacs executors of the last will and testament of the said Joseph W. Stow deceased as appellants in this cause; On consideration whereof it is now here ordered by the Court that the said Maurice Dore and William B. Isaacs executors as aforesaid be, and they are hereby substituted for, and entered in the place of the said Joseph W. Stow dec'd as aforesaid, as the parties appellants in this cause with liberty to prosecute this appeal.

86. Paul H. Lewis vs John G Cooks — Appellant | Mr Conway Robinson of counsel for the appellee having suggested the death of John G Cooks the appellee in this cause: moved the Court for leave to file the appearance of Philip G. Cooks as sole devisee and legatee of the said John G. Cooks deceased. On consideration whereof it is now here ordered by the Court that the said Philip G. Cooks sole devisee and legatee as aforesaid, be and he is hereby substituted for and entered in the place of John G. Cooks deceased as aforesaid as the party appellee in this cause with liberty to resist this appeal.

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19. The Bank of the Empire State vs Edwin Parsons — Plaintiff in Error | In Error to the District Court

of the United States for the Northern

District of Georgia

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Georgia, and it appearing to the Court that this is the second term at which this case has been called for argument and that neither party is now prepared to argue the same: it is considered by the Court that this cause should be dismissed at the cost of the plaintiff in Error, pursuant to the 16th Rule of this Court. Whereupon it is now here ordered and adjudged by this Court that the writ of Error in this cause be, and the same is hereby dismissed, with Costs. And that this cause be, and the same is hereby remanded to the said District Court to

be proceeded in according to law and justice.

per Mr Chief Justice Waite.

The Board of Supervisors of the County of Iowa as Plaintiff in Error. The United States Ex rel. Julia G Jerome. | In Error to the Circuit Court of the United States for the Eastern District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Wisconsin, and it appearing to the Court that this is the second term at which this case has been called for argument and that neither party is now prepared to argue the same it is considered by the Court that this cause should be dismissed at the cost of the plaintiff in Error.

pursuant to the 19th Rule of this Court. Whereupon it is now here ordered and adjudged by this Court that the writ of Error in this cause be, and the same is hereby dismissed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr Chief Justice Waite.

Michael C. Dowd
21. vs. Plff in Error,
Henry T. Russell
Mayor of the City of
Augusta to the use
of Wm. Glendenning
admr of Jerry Reed dec'd

In Error to the Supreme Court of the State of Georgia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Georgia, and it appearing to the court that this is the second

term at which this cause has been called for argument and that neither party is now prepared to argue the same, it is considered by the Court that this cause should be dismissed at the cost of the Plaintiff in Error pursuant to the 16th rule of this Court. Whereupon it is now here ordered and adjudged by this Court that the writ of Error in this cause be, and the same is hereby dismissed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court to be proceeded in according to law and justice.

per Mr Chief Justice Waite.

22	Sarah E. Webster vs. Griffin Error E. H. H. Griffin, James Butler, & A. B. Wolf.	In Error to the Supreme Court of the District of Columbia.

This cause came on to be heard

on the transcript of the record from the Supreme Court of the District of Columbia, and it appearing to the Court that this is the second term at which this case has been called for argument, and that neither party is now prepared to argue the same, it is considered by the Court that this cause should be dismissed at the cost of the plaintiff in Error pursuant to the 16th rule of this Court, Whereupon it is now here ordered and adjudged by this Court that the writ of Error in this cause be, and the same is hereby dismissed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court to be proceeded in according to law and justice.

per Mr Chief Justice Waite.

523

Sarah J. Spencer
23 vs. Plaintiff in Error
Thomas Martin, R. M.
Hall, James Cornell,
S. M. Golden, R. T. Griffin,
J. S. Crocker, H. Johnson
George S. Gideon, Wm.
C. Harper, H. D. Carpenter, and Samuel W. Owen.

In Error to the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia and it appearing to the Court that this is the second term at which this case has been called for argument and that neither party is now prepared to argue the same, it is considered by the Court that this cause should be dismissed at the cost of the plaintiff in Error pursuant to the 16th rule of this Court. Whereupon it is now here ordered & adjudged by this Court that the writ of Error in this cause be, and the same is

hereby dismissed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court to be proceeded in according to law & justice

per Mr Chief Justice Waite

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25. | The (late) Alexandria and Manassas R.R. Co. vs Appellant, The Southern & Atlantic Telegraph Company | On motion of counsel it is ordered that this cause be passed to be argued after the cases assigned for Monday next.

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26. | Lewis Grosholtz et al vs Appellants, Caroline Newman et al. | This cause was argued by Mr G. W. Paschal of counsel for the appellants, and submitted on printed arguments by Mr John Hancock, and Mr C. S. West, of counsel for the appellees.

E. B. Clinkenbeard et al. vs. Piffs. in Error.
vs
The United States

This cause was re-submitted to the consideration of the court on the record & printed arguments by Messrs Hawley & Johnson of counsel for the Plaintiffs in error, and by Mr Attorney General Williams and Mr Solicitor General Phillips for the defendant in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday October 14th 1872

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices.

John G. Nicolay, Esquire Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Thomas J. Durant it is ordered that Robert Mott and E. K. Washington Esquires of New Orleans State of Louisiana be admitted to practice as attorneys and counsellors of this Court

and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr R B Warden it is ordered that Robert Christy Esquire of Cincinnati State of Ohio be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Britton A Hill it is ordered that Odon Guitar Esquire of Columbia State of Missouri, and Isaac H Bodware Esquire of Fulton State of Missouri be admitted to practice as Attorneys & Counsellors of this Court and they were sworn accordingly.

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2. The Mayor &c of Mobile vs Pfff in Error. Bf Mc E Leverich et al

On consideration of the motion to reinstate

this cause on the docket, and of the argument of counsel thereupon had, as well in support of, as against the same, it is now here ordered by the Court that said motion be, and the same is hereby denied. Per Mr Chief Justice Waite.

The Town of Danville
447. vs. Pfff. in Error,
J. B. Pace
and
The Town of Danville.
448. vs. Pfff in Error
J. B. Pace

On consideration of the motion to dismiss these cases, and of the arguments of counsel thereupon had as well in support of, as against the same, it is now here ordered by the Court that said motion be, and the same is hereby denied.

Per Mr Chief Justice Waite.

William A. Goodrich and Albert A. Beall. 305. vs. Pffs. in Error. John A. Beach	In Error to the Circuit Court of the United States for the Southern District of Georgia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Georgia, and on the motion of Mr P. Phillips to dismiss which was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the writ of Error in this cause be, and the same is hereby dismissed with costs. Per Mr Chief Jus Waite.

Robert A. Phillips 429 vs. Pff in Error. Chas. C. Payne	On consideration of the motion to advance this cause on

the docket, it is now here ordered

by the court that said motion be, and the same is hereby denied.

per Mr Chief Jus. Waite.

William F. Pick et al
459 vs. Appellants.
The Chicago and North Western R.R. Co., et al.

And

D. C. Lawrence et al.
482 vs Appellants.
George H. Paine et al.

Mr W. M. Evarts moved the Court to advance these cases on the docket and assign a day for argument.

Thereupon this court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

The Winona & St Peter Railroad Company.
210. vs. Plff. in Error.
John D. Blake et al.

Mr W. P. Clough moved the court to advance this cause on the docket, and assign a day

for argument: Whereupon this Court not being now here sufficiently advised of, and concerning, what order to render in the premises took time to consider.

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667 Thomas Hayes vs Pff in Error. Martin L. Sykes Jr. | M. P. Cook of counsel for the defendant in error having filed and read in open court the following certificate to wit:

"Circuit Court of the United States for the Northern District of Illinois.

Martin L. Sykes Jr. vs. Thomas Hayes. } In Ejectment.

Northern District of Illinois ss.

I, William H. Bradley Clerk of the Circuit Court of the United States for said Northern District of Illinois, do hereby certify that on the 9th day of February A.D. 1874 a judgment was rendered in said court in favor of said plaintiff Martin L.

Sykes, and against said defendant Thomas Hayes, and that thereupon said defendant, Thomas Hayes sued out of said Court a writ of error to reverse said judgment which was duly allowed - and afterwards said defendants to wit, February 24, A.D. 1874 filed in the Office of the Clerk of said Court his Supersedeas bond, which was duly approved by the Court, as appears from the Records of said Court remaining in my custody and control.

In testimony whereof, I have hereunto set my hand, and affixed the Seal of said Circuit Court at my Office in Chicago in said District this Eighth day of October A.D. 1874.

William H. Bradley
Clerk."

and having stated that the Plaintiff in Error has altogether failed to file the record of said cause

in this court or in anyway to prosecute said writ of Error. Now here moved the Court in pursuance of the 9th rule of this court to have this writ of Error docketed & dismissed. In consideration whereof it is now here ordered and adjudged by this Court that this writ of Error to the Circuit Court of the United States for the Northern District of Illinois, be, and the same is hereby docketed and dismissed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice, the said writ of Error notwithstanding.

per Mr Chief Jus. Waite.

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33. Catharine A. Rodd adm.x &c. vs Henry G. Hewitt et al. Appellant. | Ordered by the Court that three hours be allowed counsel on each side in the argument of this cause.

The time to be divided as they may arrange among themselves.

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33. Catharine A. Rodd admx &c. vs. Henry G. Heartt & al. | Appellant. | (assigned) The re argument of this

Cause was commenced by Mr Robert Mott of counsel for the appellant, continued by Mr John A. Crow of counsel for the appellees, and by Mr H. W. Goodrich in favor of the lien for supplies furnished vessels in home port.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday October 20th 1874.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.
} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Harley Middleton Clerk.

Proclamation being made the Court is opened.

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33. Catharine A. Rodd admx &c. vs. Henry G. Hearle et al. Appellant. (assigned) The re-argument of this cause was continued by Mr William Allen Butler, and concluded by Mr Andrew Boardman by leave of the

Court in opposition to the lien for supplies furnished a ship in her home port.

Silas Woodson, Governor &c. and H. C. Ewing.
vs. Appts in Error.
401. Orie H. Murdock.

(Appeal.) The argument of this cause was commenced by Mr Britton A. Hill of counsel for the appellants, and continued by Mr J. D. Anderson of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday October 21st 1874.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.

} Associate Justices

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr T. N. Barclay it is ordered that Leroy B Valliant Esquire of Greenville State of Indiana be admitted to practice as an attorney and counsellor of this court He was sworn accordingly.

On motion first made to the Court in this behalf by Hon. W. M. Evarts it is ordered that D. Darwin Hughes Esquire of Grand Rapids State of Michigan be admitted to practice as an attorney and Counsellor of this court, and he was sworn accordingly.

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24. Noyes L. Storey, assignee vs. Jeff. in Error. Joseph H Hackley et al | On motion of Mr. J. Henderson in behalf of the Counsel it is ordered that the appearance of Catharine Hackley Executrix and C. H. Hackley Executor of J. H. Hackley deceased be filed, and entered as parties defendants in Error, in this cause with liberty to resist this writ of error.

Noyes & Avery assignees &c. vs. Catharine Hackley Exctx. and C. H. Hackley Exr. of J. H. Hackley dec'd et al

29

This cause was submitted to the consideration of the court on the record and printed arguments by Mr J. H. Champlin of counsel for the plaintiff in error and by Mr E. A. Storrs for the defendant in error, under the 20th rule. -

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Silas Woodson et al. vs. Ellis et al. in Error. Ulric A. Murdock et al.

140

(assigned) The argument of this cause was continued by Mr J. B. Henderson and Mr M. M. Evarts of counsel for the defendants in Error and concluded by Mr B. A. Hill for the plaintiffs in error.

Wednesday October 21st 1874 Continued

30. The United States vs. Appellants. The Steamer Monticello &c. | This cause was argued by Mr. Attorney General Williams of counsel for the appellants, and submitted on printed arguments by Mr J. H. Hauser for the appellee.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

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Thursday October 22. 1874

Pursuant to adjournment the Court met this day at the Capitol

Present

The Honorable Morrison R. Waite Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.

} Associate Justices

John G. Nicolay Esquire Marshal.
Daniel Hesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. Reverdy Johnson it is ordered that Charles J. Bonaparte Esquire of Baltimore State of Maryland be admitted to practice as an attorney and counsellor of this Court & he was sworn accordingly.-

25. The Orange Alexandria and Manassas Railroad Co vs The Southern & Atlantic Telegraph Company. | Appeal from the Circuit Court of the United States for the Eastern District of Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia, and on the motion of Mr G. P. Lowrey of counsel for the appellant, it is now here ordered adjudged and decreed by this Court that this appeal be and the same is hereby dismissed with costs.

Per Mr Ch. Jus. Waite

35 The Home Insurance Company of New York vs. Plaintiff in Error. J. F. Morse et al. — (Assigned) This cause was re argued by Mr H. M. Finch and Mr W. M. Evarts of counsel for the plaintiff in Error, & submitted on printed argument by Mr J. W. Cary of counsel for the defendants in Error.

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7 Andrew Hamilton et al. vs. Pliffs in Error. Joseph R. Willow. and Samuel McClelland et al. 11 vs. Appellants. The United States — On the application of counsel it is ordered that one additional hour be allowed on each side in the argument of these cases.

7	Andrew Hamilton et al, Plffs. in Error. vs Joseph R. Dillon and Samuel McClelland et al vs Appellants.	The argument of these Causes was commenced by Mr J. D. Lincoln
11.	The United States	

of Counsel for the plaintiff in error in No 7.

Proclamation being made the Court is adjourned until to morrow at twelve o'clock

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Friday October 23rd 1874

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley &
Ward Hunt.

} Associate Justices.

John G. Nicolay Esquire Marshal
Daniel Wesley Middleton. Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr P. Phillips it is ordered that Samuel T. Neill Esquire of Titusville Crawford County State of Pennsylvania, be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

On motion first made to the court in this behalf by Mr Charles W. Horner it is ordered that William A. Hunt Esquire of New Orleans State of Louisiana be admitted to practice as an attorney and counsellor of this court. He was sworn accordingly.

On motion first made to the court in this behalf by Mr J. B. Campbell it is ordered that Augustine T. Smythe Esquire of Charleston State of South Carolina be admitted to practice as an attorney & counsellor of this court and he was sworn accordingly.

D. Herman Lomer, Theodore W. Heineman, & Alexander Wehle.

689 vs. Plaintiffs in Error

Edmund Willetts, Joseph Willetts, Thomas W. Willetts, & Daniel Willetts.

Mr J. D. McPherson of counsel for the defendants in error having filed, and read in open court the following certificate to wit:

"Circuit Court of the United States
for the Northern District of Illinois,

Edmund Millers, Joseph
Millers Thomas N. Millers,
and Daniel Millers.
vs. Plaintiffs. } Assumpsit.
J. Herman Lomer, Theo-
dore Th. Heineman. and
Alexander Stehle
Defendants.

Northern District of Illinois ss:
I William H. Bradley Clerk
of the Circuit Court of the United States
for the Northern District of Illinois
do hereby certify that on the 23d day
of April A.D. 1874 a judgment was
rendered in said Court in favor
of said above entitled plaintiffs
and against said above entitled
defendants, in said entitled cause
in said Court for the sum of $2.572.50
damages besides cost of suit, that af-
terwards to wit on said 23d day of April
said defendants sued out of said Court

a writ of error to reverse said judgment, which was duly allowed by the Court, and a copy of the same was deposited with the Clerk of said Court.

And that afterwards to wit on the 6th day of May A.D. 1874, said defendants filed with said Clerk of said Court their supersedeas bond which was duly approved and allowed by the Court in said cause, all of which appears from the records of said Court remaining in my custody and control.

In testimony whereof, I have hereunto set my hand and affixed the seal of said Circuit Court at my office in Chicago in said District this 9th day of October A.D. 1874

Seal

Wm H. Bradley, Clerk"

and having stated that the plaintiffs in Error, had altogether failed to file the record of said cause in this

Court, or in anyway to prosecute said writ of Error, - moved the Court in pursuance of the 9th rule of this court to have this writ of Error docketed and dismissed. On consideration whereof, it is now here ordered and adjudged by this court that the writ of Error in this cause to the Circuit Court of the United States for the Northern District of Illinois be, and the same is hereby docketed and dismissed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice the said writ of Error notwithstanding.

per Mr Chief Justice Waite. -

The Commissioners of Hamilton County, Ohio Plffs. in Error.
6/10. vs.
John Gray

Mr S. T. Lincoln of Counsel for the defendant in Error, having filed and read in open court the following certificate to wit:

"Proceedings before the Honorable Philip B. Swing, District Judge of the United States for the Southern District of Ohio, in the Circuit Court of the United States for the Southern District of Ohio, at the April Term 1874, begun and held on the seventh day of April, in said year & continued by adjournment from day to day to the 22d day of May 1874, when the following among other proceedings were had:

John Gray. 1741. vs Plaintiff
The Commissioners of Hamilton County Ohio. Defendant.

Money only.
Judgment.

This cause came on to be heard upon the motion of the defendant for a new trial, and the court having heard the arguments of counsel and being fully advised in the premises do order that the defendant

have a new trial unless the plaintiff shall elect to remit from the verdict the sum of six thousand and four and 25/100 Dollars making the verdict, in that event stand for the sum of $11.495.25 instead of $17.500.00 as found by the jury, and in case of such election to remit then the order for a new trial is overruled. to the overruling of which motion the defendant excepts. And thereupon afterwards on the same day came the plaintiff by his counsel, and elected to remit the said sum of $6.004.75 — And thereupon it is considered that the said motion for a new trial be, and the same is hereby overruled. It is thereupon considered that the said motion for a new trial be, and the same is hereby overruled. It is thereupon considered by the court that the plaintiff recover of the said defendant the said sum of Eleven thousand four hundred ninety-five and 25/100 dollars with his costs in

thereof extended taxed at $ and execution is awarded therefor. To the overruling of which motion, and the entry of judgment defendant excepts.

In the Circuit Court of the United States For the Southern District of Ohio.

John Gray
vs Plaintiff
The Commissioners of Hamilton County Ohio, Defendant } Money only.

Southern District of Ohio. ss.
I, Thomas Ambrose Clerk of the Circuit Court of the United States for the Southern District of Ohio, hereby certify that the above and foregoing is a true and faithful transcript and exemplification of a certain judgment made by the aforesaid judge in said Court, on the 22d day of

May 1874. and that at the said term of April to wit: on the 27th day of June 1874. said defendant by its attorneys presented to said Judge its Bill of Exceptions in said cause which was on said day, signed sealed & allowed by him, and afterwards at the said term of April to wit: on the 14th day of July 1874, a writ of error to the Supreme Court of the United States was sued out by said defendant and allowed.

I further certify that said cause was commenced in said Circuit Court on the 17th day of April A.D. 1873, and the names of all the parties to said judgment are truly set out in the title thereof at the head of said decree.

Seal

In witness whereof I have hereunto set my hand and affixed the seal of said Circuit Court at

Cincinnati in said District on this 21st day of October A.D. 1874, and in the 99th year of American Independence.

Attest:

Thos. Ambrose
Clerk U. S. C. C.
S. D. Ohio"

and having stated that the plaintiff in error had altogether failed to file the record of said cause in this court, or in anyway to prosecute said writ of Error now here moved the court in pursuance of the 9th rule of this court to have this writ of Error docketed and dismissed. On consideration whereof it is now here ordered and adjudged by this court that the writ of Error in this cause to the Circuit Court of the United States for the Southern District of Ohio be, and the same is hereby docketed & dismissed with costs. And that this

cause be, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr Chief Justice Waite.

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399 H. A. Smythe Coll.r &c. vs. H. C. Fiske et al. — Plaintiff in Error.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr Attorney General Williams and Mr Solicitor General Phillips of counsel for the Plaintiff in Error, and by Mr Edward Hartwig for the defendants in error under the 20th rule.

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175 Wm A. Haycraft vs. The United States — Appellants

and

176 W. L. & J. L. Sanedal. vs. The United States — Appellants.

On the motion of Mr Attorney General Williams it is now here ordered by the Court that these cases be advanced on the docket & set down for argument on the last Monday of November next.

Friday, October 23d 1874. Continued.

The Bar of the Supreme Court of the United States met in the Court room in the Capitol on Monday the 12th instant at 12 o'clock M. to pay respect to the memory of the late Benjamin R. Curtis.

On motion the Hon. John A. Campbell was appointed Chairman and D.W. Middleton Clerk of the Court Secretary.

On motion of P. Phillips the chair appointed the following committee on Resolutions, viz: Reverdy Johnson, Philip Phillips, William M. Evarts, Benjamin H. Bristow, George H. Williams, John A.J. Creswell, Richard T. Merrick, T.D. Lincoln, and R. McCormick.

The Committee through its chairman Reported the following resolutions

The Bar of the Supreme Court of the United States, assembled upon occasion of the death of their brother Curtis, in testimony of their great affection and esteem for him

in life and of their sense of the great loss which the Courts and the Bar of the whole Country, and the community at large suffer, in his death, adopt the following resolutions:

Resolved That we find in the professional life labors and honors of Benjamin Robbins Curtis as displayed in an elevated & Extended career of judicial and forensic duty and distinction the imposing traits and qualities of intellect & character which in concurrence make up the true and permanent fame among men, of a great lawyer and a great judge

Resolved. That the example presented by his life of great natural powers faithfully disciplined, and completely developed, expanded by large requirements, and kept vigorous and alert by strenuous exercise applied to noble uses and effecting illustrious results, upon a conspicuous theatre of action, and in manifold

and diversified opportunities of public service and of public notice, is rare among lawyers as among men; and furnishes a just and assured title to permanent renown in the memory of his countrymen.

Resolved, That in the special qualities which mark him as a consummate forensic advocate, and as an authoritative judge, the structure of Mr Curtis' mind and its discipline combined the widest and most circumspect comprehension of all facts of legal import however multitudinous; a luminous and penetrating insight into the intricacies and obscurities of the most complex relations; and an efficacious power of reason, which produced the many admirable exhibitions of his faculties at the bar and on the bench, which for forty two years have served the administration of justice and attracted the attention of the

profession and of the public.

Resolved. That we commemorate with no less satisfaction & applause the moral qualities which illustrate the whole professional service of our deceased brother - his justice to all. his kindness to Associates, his fidelity to the Courts and to the law, his scrupulous contribution of his best powers and his complete attention to every cause whose advocacy he assumed - his resolute maintenance of the just limits which separate the duties of an advocate and the duties of an adviser & of a declarer of the law upon professional opinions - his fidelity to society to government, to religion to truth - all these traits of duty as the rule of his life, we present to the living lawyers and to their successors for their sincerest homage.

Resolved. That the Attorney General be requested to present these resolutions to the Supreme Court

and to move in our behalf, that they be entered upon its minutes and that the Chairman of this meeting be requested to forward a copy of them to the family of our deceased brother.

Which Resolutions were unanimously adopted.

Mr Attorney General Williams moved the Court that these proceedings be entered of record on the minutes of the term and made the following remarks.

May it please the Court.

Benjamin R. Curtis formerly an Associate Justice of this Court and one of the most distinguished members of its bar, departed this life on the 15th day of last month and his professional associates here feeling, like a family, bereft of its head, have expressed the sense of their bereavement in fitting resolutions, which at their

request I have now the honor to present to the court. Our deceased brother was born at Watertown Mass. in the year 1809; and came down to his grave with all his faculties unimpaired by decay, or the infirmities of age.

I can only speak of Judge Curtis as a lawyer; and those who knew him in that capacity will not I am sure, charge me with exaggeration in saying that all that has been said of the ablest and best of our profession may with fitness be applied to him. I was a member of the High Court of Impeachment when the President of the United States was put upon his trial before that body, and had therefore an excellent opportunity to see and hear the deceased who was the leading counsel for the defence in that case. The late Chief Justice presided. Senators

and Representatives occupied the floor of the Senate, and distinguished people from all parts of the world filled its galleries. The political pulses of the nation throbbed with intense anxiety. The scene was thrilling and historic, and when the prosecutors had submitted their evidence in support of the articles of impeachment, Judge Curtis followed with a statement of the respondents' defence I was greatly impressed with his presence. When he arose to speak, he seemed to be the personification of solidity and strength. Added to his striking features and form, he had a peculiarly firm and broad way of standing while he spoke, which seemed to express an unyielding determination not to be moved from his positions. He was not excited, or embarrassed. He commenced with the composure of conscious

power. He presented the facts and points of the case in such a comprehensive compact and logical manner, as to make the speech a model of forensic discussion. Brougham or Burke would have displayed upon that occasion, a wealth of imagery and illustration; but the language of Judge Curtis was as pure and chaste as the lectures of Blackstone.

I will not venture to say that our departed Brother was the equal of Webster; but it is safe, I think to assert that he was more like Webster than any man who has of late years if ever, appeared in this court. Some one has said of Lord Mansfield that his statement of the facts of a case was worth the argument of any other man; and few gentlemen will feel disparaged. I presume if this remark is made applicable to Judge Curtis.

His eminence as a jurist of

this court, has been universally acknowledged. His opinions indicate an enlightened and conscientious judgment, masterly expositions of Constitutional law have been given from time to time by the great judges of this court, but none ever delivered here was more exhaustive in its learning or far reaching in its results, than his dissenting opinion in the Dred Scott Case. Chief Justice Taney and his associates excepting Curtis and McLean labored with great ability to make color a Constitutional Criterion of American Citizenship; but Justice Curtis with a broader appreciation of the true principles of our government, affirmed, that the free native born citizens of each state are citizens of the United States; and on account of the overwhelming force with which he made the

reason and justice of this declaration to appear, the contrary opinion of the court has been without any considerable weight or influence. Civil war has since followed upon this and cognate questions; but it yet remains for this court to define the rights, immunities and privileges of citizens of the United States, and to determine to what degree of protection as such citizens, they are entitled to from the Government of the United States.

Our deceased friend was not distinguished in the political world. He was never drawn into the vortex of partisan strife by the prospect of official honors. His ambition was to be a great and successful lawyer. Seventeen years ago he gave up his exalted position upon the bench of this court to resume the practice of his profession, and since then he has hardly been equalled in the number and variety

of the great causes in which he has appeared

His solid and massive intellect was enriched by acquisitions from every branch of jurisprudence. His argued questions as to the functions of government, the construction of Statutes, and the doctrines of the unwritten Law, with an equal fulness of learning and profoundness of thought. There were no fanciful quotations or pomp of words about his speeches. They were as plain and simple as could be. This is the highest style of speaking at the bar. Weakness of argumentative power, as often as otherwise displays itself in turgid and showy declamation; but to make each word a necessary link in a chain of logic, that draws and binds the judgment of the hearer to the conclusion of him who speaks, is the work of a master mind,

and in this, Judge Curtis excelled. Few cases come before this Court, in which there is not a great variety of debatable points; some vital and others incidental to the Controversy; and very often all of these are discussed as though there was no difference in their value, and in addition to his other fine faculties, Judge Curtis had the power to detect and eliminate from a case its decisive issues, and with these alone he occupied the time of the Court.

I would not seek vainly to pour flattery into the "dull cold ear of death" or seem to praise one who is dead, as though he had none of the infirmities of human nature, but leaving out of view his personal domestic and social qualities and habits (of which I know little or nothing) and judging only from his professional character, I feel as

likely to say that, as nearly as any one I ever knew, he filled the measure of a perfect lawyer. When an intellect so highly gifted by nature and so developed & invigorated by discipline and culture is extinguished, society as well as friends suffer a great loss. The Bench and the Bar are stricken with a real sorrow.

Our sad duties to day forcibly remind us of the brevity of human life. All those who with Judge Curtis occupied the seats now filled by your Honors are with one exception dead; but they are not forgotten and will not be, so long as in this Supreme Tribunal of Justice, questions relating to the powers of government, the relations of states, and the rights of citizens are argued and decided. No more forever will they be seen here; but their words of wisdom and authority remain.

Grateful memories solemnly linger around their recorded opinions. Our successors and those who come after them, will, as we do now, ponder over their imperishable thoughts with pleasure and profit. Humbly following their example and emulating their virtues, we may hope that when our time comes to go from this earthly court to a higher judgment seat, we can look cheerfully into the Great Hereafter, and like them too leave behind us "foot prints in the sands of time."

To which Mr Chief Justice Waite made the following reply:

The Court unites most cordially with the Bar in honoring the memory of the late Judge Curtis. I had not myself the pleasure of his personal acquaintance, but it needs no such acquaintance to

know that as a lawyer he was true to his clients and just to the courts, and that as a judge he was upright learned and practical. An able and useful lawyer and an honest and honored judge is dead. The Court mourns his loss, and trusts that the time is far distant when his professional and judicial life will not be looked upon as worthy of imitation by lawyers and judges.

The Clerk will enter the resolutions of the Bar and the remarks of the Attorney General in presenting them upon the records, and as a tribute of respect to one who, while a member of this court performed all his duties faithfully, and well, we will now adjourn for the day. -

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Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday October 26th 1874

Pursuant to adjournment the Court met to day at the Capitol

Present.

The Honorable Morrison R. Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.

} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon W. M. Evarts. it is ordered that Frank N. Hackett Esquire of Portsmouth State of New Hampshire be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Attorney General Williams it is ordered that Adolph Moses Esquire of Chicago State of Illinois be admitted to practice as an attorney & counsellor of this court and he was sworn accordingly.

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5. The City of New Orleans vs. The New York Mail Steamship Company. Appellant. Appeal from the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed.

with costs and interest, until paid at the same rate per annum that similar decrees bear in the courts of the State of Louisiana.

per Mr Justice Swayne.

Dissenting
Mr Jus. Field.

(Mr Justice Clifford, Mr Justice Davis, and Mr Justice Bradley did not sit on the argument of this cause, and took no part in the decision.)

Ira Gill
34. vs. Plaintiff in Error.
Eliza Wells administratrix of H. A. Wells, dec'd.

In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by Counsel. On

consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo. Per Mr Justice Clifford

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(Mr Justice Strong concurs in the judgment but not in all the positions taken in the opinion.)

Mr Justice Bradley did not sit on the argument and took no part in the decision.

Wm. F Peck et al.
459 vs. Appellants.
The Chicago & N.W. R.R. Co et al.

Dewitt C. Lawrence et al. And
482 vs. Appellants.
George H. Paul et al.

On consideration of the motion to advance these cases on the docket

and assign a day for argument it is now here ordered by the Court that said motion be, and the same is hereby denied.

per Mr Chief Justice Waite.

The Winona & St Peter R.R. Co vs. Riffs. in Error. John D. Blake et al. | On consideration of the motion of Mr N. P. Clough to advance this cause on the docket and assign a day for argument it is now here ordered by the Court that said motion be, and the same is hereby denied.

210.

per Mr Chief Jus. Waite.

The Mayor &c of Mobile vs. Riffs. in Error. Wm E. Loverich et al. and Wm H. Goodrich et al. vs. Riffs. in Error. John N. Beach. | On motion of Mr P. Phillips it is ordered by the Court that leave

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305.

be granted the Clerk to issue the Mandates in these cases.

Wales B. Miller	In Error
94 vs. Piff in Error.	to the Cir
John A. Morton.	cuit Court
	of the United

States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and on the motion of Mr C. W. Hornor in behalf of counsel for the plaintiff in Error, it is now here ordered & adjudged by this Court that the writ of Error in this cause be, and the same is hereby, dismissed with costs.

per Mr Chief Justice Waite

Walter B. Miller
gtt. vs. Piff in Error.
John A. Morton.

On motion of Mr C. H. Horner on behalf of counsel for the plaintiff in Error, it is ordered by the Court that leave be, and the same is hereby granted him to withdraw from the files of this Court, the record in this cause, by leaving with the Clerk a receipt for the same.

The State of Florida
Benj. F. S. Complainant,
E. C. Anderson Jr. Defdt.

The petition of the Rogers Locomotive & Machine Works in this cause, was argued by Mr E. H. Trandin, in favor of the same and by Mr H. H. Boyce in opposition thereto.

Monday October 26th 1874. Continued.

7	Andrew Hamilton et al. vs. Plffs. in Error. Joseph R. Dillon and	The argument of these cases was continued by Mr T.
11.	Samuel McClelland et al vs. Appellants. The United States.	

D. Lincoln of counsel for the plaintiff in Error in No 7 and continued by Mr Solicitor General Phillips and Mr Attorney General Williams of counsel for the defendant in Error in No 7 and appellee in No 11.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock

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Tuesday October 27th 1874.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Morrison R Waite Chief Justice.

Nathan Clifford
Noah H Swayne
Samuel F Miller
David Davis
Stephen J Field
William Strong
Joseph P Bradley
Ward Hunt
} Associate Justices.

John G Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Philip Phillips it is ordered that Thomas Williams Clark Esquire of Boston State of Massachusetts be admitted to practice as an attorney & counsellor of this Court & he was sworn accordingly.

On motion first made to the Court in this behalf by Mr T. J. Durant, it is ordered that Charles H. Brammel Esquire of Laramie City Wyoming Territory be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

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7. Andrew Hamilton et al. vs. Pltfs. in Error. Joseph K. Dillon and Samuel McClelland et al. vs. Appellants.

11. The United States.

The argument of these cases was concluded by Mr W. M. Evarts of counsel for the plaintiff in Error in No 7. and submitted on printed argument by Mr J. W. Denver and Mr E. T. Peck of counsel for the appellants in No 11.

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31. Thomas W. House vs. Pff. in Error.
William F. North assignee of W. A. Rawlings a bankrupt.

In Error to the Circuit Court of the United States for the Western District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Texas, and it appearing to the Court that this is the second term at which this cause has been called for argument, and that neither party is now prepared to argue the same, it is considered by this Court that this cause should be dismissed at the cost of the plaintiff in Error, pursuant to the 19th rule of this Court. Whereupon it is now here ordered and adjudged by this court, that the writ of error in this cause

be, and the same is hereby dismissed with costs - and that this cause be, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr Chief Jus. Waite.

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37. E. T. Hickney assignee vs. Appellant, Harrison Nick. - | This cause was submitted to the consideration of the Court on the record and printed arguments by Mr A.G. Riddle of counsel for the appellant, and by Mr G. E. Seney for the appellee.

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38. Seward and Kip vs. Appellants. The Ship Fontonia &c. | This cause was argued by Mr S. J. Durand of counsel for the appellants, and by Mr P. Phillips for the appellee.

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39 The United States vs. Pfff. in Error. John Richie. | This cause was submitted to the consideration of the Court on the record and printed arguments by Mr Assistant Attorney General Hill of counsel for the plaintiff in Error. No counsel appearing for the defendant in Error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday October 28. 1874.

Pursuant to adjournment, the Court met to day at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.

} Associate Justices

John G. Nicolay Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr J. J. Crittenden it is ordered that Henry Hayward Esquire of Lancaster State of New Hampshire be admitted to practice as an attorney & counsellor of this court

and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr R. D. Mussey it is ordered that J. Duncan Cottrell Esquire of Pensacola, State of Florida be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly—

On motion first made to the Court in this behalf by Mr S. C. Perkins it is ordered that A. H. McGuffey Esquire of Cincinnati State of Ohio be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

No. John M. Sweeney et al. vs. Pfff. in Error. Joseph A Lomme. | This cause was argued by Mr J. H. Ashton of

counsel for the plaintiffs in error and by Mr R. Leech of counsel

for the defendant in error. (On the question of jurisdiction.)

40. John M. Sweeney et al. vs. Peffs in Error. Joseph A. Lemme.

Mr J. H. Ashlow of counsel for the plaintiff in error having filed and read in open court a suggestion of a diminution of the record in this cause in the words and figures following, to wit:

"The omission of a copy of the verdict of the jury and the judgment of the 3rd. Judicial District Court in and for the County of Lewis and Clarke in said Territory."

By reason of which omissions and errors aforesaid the said counsel now here moved the Court to award a writ of certiorari to be directed to the Judges of the Supreme Court of the

Territory of Montana commanding them that searching the record and proceedings of said court in this cause they shall certify to this court under the seal of the said Supreme Court, whatever omissions and errors shall be found. On consideration whereof it is now here ordered and adjudged by this court that a writ of certiorari be, and the same is hereby awarded to be issued forthwith & to be directed to the Judges of the Supreme Court of the Territory of Montana commanding them that searching the record and proceedings aforesaid they forthwith certify to this court under the seal of the said Supreme Court whatever omissions and errors shall be found in said cause, and return the same with the said writ of certiorari forthwith to this court. per Mr Chief Jus Waite

Wednesday October 28th 1874 continued.

111 The Ship "Belle of the Sea" &c vs. Henry St. Johnson et al. Appellants. | This cause was argued by Mr St. Flanders of counsel for the appellant, and by Mr S. C. Perkins of counsel for the appellees.

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112 The United States vs. Henry Beckler et al. Plff in Error. | The argument of this cause was commenced by Mr Solicitor General Phillips of counsel for the plaintiff in error, continued by Mr J. V. L. Findlay and Mr Edward Otis Hinkley of counsel for the defendant in error, and concluded by Mr Solicitor General Phillips for the plaintiff in error.

45.	John S. Atkinson et al. U.S. Appellants, Peter Peterson et al.	This cause was submitted to the

consideration of the Court on the record and printed arguments by Mr R. Leech of counsel for the plaintiffs in Error and by Mr G. G. Symes of counsel for the appellees.

Proclamation being made the Court is adjourned until Friday at twelve o'clock.

Friday October 30 1874.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R Waite Chief Justice
Nathan Clifford
Noah H Swayne
Samuel F Miller
David Davis
Stephen J Field
William Strong
Joseph P Bradley &
Ward Hunt.

John G Nicolay Esquire Marshal,
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

4443. Branch Sons & Company et al. vs. The City Council of Charleston et al. Appellants

4444 The City Council of Charleston et al. vs. Branch, Sons & Company. Appellants

The motion to advance these cases on the

docket, and to fix an early day for their hearing, was argued by Mr D. T. Corbin in support of the same, and by Mr James Comer in opposition thereto- Whereupon this Court not being well and sufficiently advised of, and concerning what order to render in the premises took time to consider.

1142 The United States vs Appellants. C. V. Woodruff et al. and Lydia Ejgr Jansen Exct. &c. 1143 vs. Appellant The United States.

Mr T. J. Durant moved the Court to substitute E. T. Parker Public administrator as a party in these cases for Bessie E. Jansen Executrix which was opposed by Mr Casey and on his motion the argument of the motion to substitute was postponed to Friday the 27th of November next.

13.	Cornelius Cuttle Jr, as Receiver of the First National Bank of Selma. vs. Pltf in Error. George Baker & Joseph L. Perkins vs George Baker & Company	In Error to the District Court of the United States for the Mid dle District of Alabama.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Middle District of Alabama, and it appearing to the Court that this is the second term at which this case has been called for argument, and that neither party is now prepared to argue the same it is considered by the Court that this cause should be dismissed at the cost of the plaintiff in error pursuant to the 19th Rule of this Court, Whereupon it is now here ordered and adjudged by this Court,

that the writ of Error in this cause be, and the same is hereby dismissed with costs- And that this cause be, and the same is hereby Remanded to the said District Court to be proceeded in according to law and justice.

per Mr Chief Justice Waite.

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701 Rush Burgess vs. Plff in Error, Henry H. Wells.

Mr H. H. Wells of Counsel for the defendant in Error having filed and read in open court the following certificate to wit;

"In the Circuit Court of the United States for the fourth Circuit and Eastern District of Virginia.

Henry H. Wells vs. Rush Burgess. } Response on the case in assumpsit.

I, M. F. Keusants Clerk of the Circuit Court of the United

States for the Eastern District of Virginia do hereby certify that the above entitled cause was tried in this court at the April term of this court 1874.

That judgment was rendered therein on the 9th day of May 1874 in favor of the plaintiff and against the defendants. That on the fifth day of June 1874 the defendant Rush Bungee duly sued out a writ of error which was duly allowed by M. R. Waite Chief Justice of the Supreme Court of the United States, to remove the record in the said cause to the Supreme Court of the United States.

That a citation addressed to the defendant in Error Henry H. Wells was on the fifth day of June 1874, duly issued, and personal service thereof was by the said Henry H. Wells duly admitted

That a supersedeas bond was duly executed and given by the plaintiff in Error on the Fifth day of August 1874.

In witness whereof, I have hereunto set my hand and affixed the seal of this court at Richmond Virginia this 22d day of October 1874.

Seal

M. F. Pleasants,
Clerk."

and having stated that the plaintiff in Error had altogether failed to file the record of said cause in this court, or in anyway to prosecute said writ of Error, now here moved the court in pursuance of the 9th Rule of this court to have this writ of Error docketed & dismissed. On consideration whereof it is now here ordered and adjudged by this court that the writ of Error in this cause be, and the same is hereby docketed and dismissed with costs. And that this cause be, and the

same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice the said writ of Error notwithstanding

per Mr Chief Jus. Waite.

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18 Barrels of Highwines and other property.
43 vs Pfeffer in Error.
The United States.

On motion of Mr Solicitor General Phillips

it is ordered that this case be passed, and not to be called before the first Monday of December next.

E. M. Boley et al.
144 vs Plffs. in Error.
S. M. Griswold Exr &c.

This cause was argued by Mr J. H. Ashton of counsel for the plaintiff in error, and submitted on printed argument by Mr R. Leech of counsel for the defendant in error.

Charles T. Pollard 116 vs. Piff in Error, Jno. F. Bailey assignee &c.	On motion of Mr T. Phillips leave is

hereby granted him to withdraw his appearance as counsel for defendant in Error in this cause.

Charles T. Pollard 116. vs. Piff. in Error, John F. Bailey assignee &c.	This cause was argued by Mr Jno A. Campbell of counsel for the

plaintiff in error, and submitted on printed argument by Mr J. A. Elmore of counsel for the defendant in error.

Jacob Lyon 117 vs Piff in Error. Marie A. T. Pollard	This cause was argued by Mr Walter S. Cox of counsel for the plaintiff in

Error, and by Mr Joseph H. Bradley of counsel for the defendant in error.

Friday October 30th 1874. Continued.

48. The Rubber Tip Pencil Co. vs. Samuel E. Kound et al. Appellant. | The argument of this cause was commenced by Mr John S Washburne of counsel for the appellants, and continued by Mr Frederick A. Bell of Counsel for the appellees.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday November 2nd 1874.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.

} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Williams it is ordered that William Brown Esquire of Nicholasville State of Kentucky be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the court in this behalf by Mr R M Corwine it is ordered that H. C. Bliss Esquire of Washington City. District of Columbia be admitted to practice as an attorney and Counsellor of this court, and he was sworn accordingly.-

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On motion first made to the court in this behalf by Mr Robert Leech it is ordered that C. M. Tolts Hall Esquire of Dayton State of Ohio be admitted to practice as an attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon S. M. Kellogg. it is ordered that A. E. Wilson Esquire of Louisville State of Kentucky be admitted to practice as an attorney & Counsellor of this Court and he was sworn accordingly.

Louis Groshelz
C. F. Sander et al
26. vs. Appellants.
Caroline Kuhman et al.

Appeal from the Circuit Court of the United States for the Western District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Texas, and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr Chief Justice Waite.

The United States
34. vs. Plffs. in Error.
John Ritchie.

In Error to the Circuit Court of the United States for the District of Maryland.

This cause came on to be heard on the transcripts of the record from the Circuit Court of the United States for the District of Maryland, and was argued by Counsel On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed.

Per Mr Chief Justice Waite.

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443. Branch Sons & Co. et al. vs Appellants. The City Council of Charleston et al.

and

444. The City Council of Charleston et al. vs Appellants. Branch Sons & Company.

On consideration of the motion to advance these causes and fix a day for hearing, and of the arguments of Counsel thereupon had as well in support of, as against the same,

it is now here ordered by the court that said motion be, and the same is hereby denied.)

The State of Texas vs. George W. Wade John Chiles et al.

1 orig: Mr T. J. Durant moved the court for a rule on John Chiles in this cause requiring him to show cause why an attachment should not be issued against him, and he be punished for his alleged misconduct in violating the injunction issued and decreed in this cause: Whereupon this court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

The Rubber Tip Pencil Co. vs. Samuel E. Howard et al.

48. Appellant.

The argument of this cause was con-

tained by Mr F. H. Betts and Mr S. H. Kellogg of counsel for the appellees & concluded by Mr John S. Washburn of counsel for the appellants.

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49. Warren C. Gillette vs. Plff. in Error. Mesena Bullard. | This cause was argued by Mr R. Leed of counsel for the plaintiff in error. No counsel appearing for the defendant in error.

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50. The State of Maryland vs. Plff. in Error. The Balt & Ohio R. R. Co. | On the application of counsel one additional hour allowed on each side in the argument of this cause.

The State of Maryland
vs. as Plaintiff in Error,
The Balto & Ohio R. R. Co.

The argument of this cause was commenced by Mr. S. T. Wallis of counsel for the plaintiff in error, & continued by Mr. J. H. B. Latrobe of counsel for the defendant in Error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday November 3rd 1874

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis — Associate
Stephen J. Field — Justices
William Strong
Joseph P. Bradley
Ward Hunt.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. Reverdy Johnson it is ordered that Henry M. Spofford Esquire of New Orleans State of Louisiana and Lewis E. Dabney Esquire of Boston State of Massachusetts be admitted to prac

lice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr J. D. McPherson it is ordered that R. S. Stith Esquire of Holly Springs State of Mississippi be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

M. N. Prince
vs. Plff in Error.
H. G. Starkweather

Mr E. Lander of counsel for the defendant in Error having filed and read in open court the following certificate to wit:

"In the Supreme Court of the District of Columbia.

October 31. 1874.

H. G. Starkweather
vs. Plaintiff
M. H. Price
Defendant.
} At Law
No 8936.

I, Richard J. Meigs Clerk of the Supreme Court of the District of Columbia hereby certify, that on the 10th day of November 1873. to wit at the September Term 1873. the plaintiff in the above entitled cause, by the final judgment of the said Court recovered against the said defendant, the sum of Eight hundred dollars besides costs; that on the 17th day of November A. D. 1873, a writ of Error was by the said defendant duly sued out, and the same was allowed, returnable in the Supreme Court of the United States on the second Monday of October next thereafter to correct certain errors by him alleged to have happened in the record & proceedings, and also in the rendition of the

said judgment of the said Supreme Court of the District of Columbia.

In Witness whereof I have unto subscribe my name and affix the seal of the last mentioned court.

Seal

R. J. Meigs
Clerk".

and having stated that the plaintiff in error had altogether failed to file the record of said cause in this court, or in anyway to prosecute said writ of error, now here moved the Court in pursuance of the 9th rule of this court to have this writ of error docketed and dismissed. On consideration whereof it is now here ordered & adjudged by this Court, that the writ of error in this cause be, and the same is hereby docketed and dismissed with costs: And that this cause be, and the same is hereby remanded to the said Supreme Court to be pro-

ceeded in according to law and justice, the said writ of Error not withstanding.

per Mr Chief Jus. Waite.

Harriet Smith
707. &c. Appellant
Charles Gibson, C. P. Chouteau, Julia Moffitt, J. M. Bemis, R. B. Towny, F. D. Smith, T. A. Hacker, C. Schluckebier, C. Oswald, Samuel Magoffin, Basil Duke, J. H. Sigal, H. G. Schuenberg, E. Webster, H. M. Heitkemeyer, and H. C. L. Haase.

Mr J. D. McPherson of counsel for the appellant having filed and read in open Court the following certificate & writ;

United States of America
Eastern District of Missouri } Set.

In the Circuit Court of the United States, in and for said District.

This is to certify that at a regular stated term of said circuit court, begun and held at

the City of St Louis in said District on the 3rd Monday the fifteenth day of September A.D. Eighteen hundred and seventy three to wit: On Saturday the first day of November Eighteen hundred & seventy three in the suit in Equity in said Court pending between Harriet Smith plaintiff, and Charles Gibson, Mary McRee, Charles P. Chouteau, Julia Moffit, Judson M. Bemis, Robert C Clowry, Francis D. Smith, Thomas A. Walker, Christian Schluckabier, Cecelia Oswald, Samuel Magoffin, Basil Duke, John A. Leggat Albert G Schluenberg, Edert Wester, Henry M. Heitmeyer, August C. L. Kuase defendants it was ordered adjudged and decreed that the bill of said plaintiff be dismissed. And afterwards at the same term to wit: On Tuesday the Eighteenth day of November Eighteen hundred and seventy three on the prayer of said plaintiff an appeal was

allowed from the decree aforesaid to the Supreme Court of the United States.

In witness whereof I hereunto subscribe my name and affix the seal of said Court, at office in the City of St Louis in said district this twentieth day of October in the year of our Lord Eighteen hundred and Seventy-four.

Seal

Austin Drake
Clerk"
by H. Gosberg, Deputy"

and having failed that the appellant had altogether failed to file the record of said cause in this Court or in anyway to prosecute said appeal, now here moved the Court in pursuance of the 9th rule of this court to have this appeal docketed and dismissed. On consideration whereof it is now here ordered

adjudged and decreed by this court that this appeal from the Circuit Court of the United States for the Eastern District of Missouri, be, and the same is hereby dismissed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice the said appeal notwithstanding.

per Mr. Chief Justice Waite.

The State of Texas ex rel (vs) Complainant
Geo. W. Whitt. John Chiles et al.

On reading & filing affidavit and on motion of C. T. Merrick & T. J. Durant Solicitors for complainant: Ordered that the defendant John Chiles show cause on Friday the thirteenth day of November 1874, at 12 M. or as soon thereafter as the matter can be heard, why an attachment should not issue against him

and he be punished for his alleged misconduct in violating the injunction issued and decreed in this cause. And it is further ordered that copies of the affidavit and other papers on which this motion is founded be served upon the said defendant personally, at least three days previous to the said thirteenth day of November 1874.

per Mr Chief Justice Waite.

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50. The State of Maryland vs. Plff in Error, The Balto and Ohio R.R. Co.

The argument of this cause was continued by Mr J.H.B. Latrobe and Mr Reverdy Johnson of counsel for the defendant in error and concluded by Mr J. Neilson Steele for the plaintiff in Error.

Tuesday, November 3rd 1874. Continued

51 George Hearn vs. The NE Mutual Marine Insurance Co.

Appellant

The argument of this cause was commenced by Walter Curtis of counsel for the appellant

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Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday November 4. 1874.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis — Associate
Stephen J. Field — Justices
William Strong
Joseph P. Bradley &
Ward Hunt.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr H. C Hutchins it is ordered that Augustus Brandegee Esquire of New London State of Connecticut be admitted to practice as an attorney & counsellor of this court and he

was sworn accordingly.

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51. George Hearn vs. Appellant
The N.E. Mutual & Marine Insurance Co.

The argument of this cause was continued by Mr H. C. Hutchins of counsel for the appellee & concluded by Mr Walter Curtis of counsel for the appellant.

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52. The Equitable Safety Insurance Company vs. Appellants
George Hearn

This cause was argued by Mr John C. Dodge of counsel for the appellant, and by Mr Walter Curtis of counsel for the appellee.

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53 Henry C. Rogers et al. vs The Schama S.B. Wade &c. | The argument of this cause was commenced by Mr John C. Dodge of counsel for the appellants.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday December 5, 1874.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R Waite Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.
} Associate Justices

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. John A. Campbell it is ordered that Anson V. Parsons Esquire of Philadelphia State of Pennsylvania be admitted to practice as an attorney and Counsellor of

this court, and he was sworn accordingly.

53. Henry C. Rogers et al. vs. The Sch.r S. B. Wheeler &c. Appellants. | The argument of this cause was continued by Mr John C. Dodge of counsel for the appellants by Mr L. S. Dabney and Mr G. A. Somerby of counsel for the appellees, & concluded by Mr Dodge for the appellants.

54. George S. Mush vs Nathaniel M. Whitmore Appellant | The argument of this cause was commenced by Mr A. G. Stanchfield of counsel for the appellant and continued by Mr Artemas Libbey of counsel for the appellee

Proclamation being made the Court is adjourned until tomorrow at two o'clock.

Friday November 6. 1874.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R Waite Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.
} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Philip Phillips it is ordered that Edward Boyd Esquire of Cincinnati State of Ohio be admitted to practice as an attorney and counsellor of this court & he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. A. Grow it is ordered that Lewis S. Wells Esquire of Norristown State of Pennsylvania be admitted to practice as an Attorney & Counsellor of this Court & he was sworn accordingly.

The Mutual Life Insurance Compy of N. York. vs. Pl. in Error. Horatio L. Whitridge assignee &c. —

626.

Mr E. C. Hinkley of counsel for the plaintiff in Error

suggested the death of Horatio L. Whitridge the defendant in error in this cause, and moved the Court for an order substituting J. Morrison Harris as trustee &c., for the said Horatio L. Whitridge deceased. On consideration whereof, and upon the consent of such party, it is ordered that J. Morrison Harris trustee, be entered as the defendant in Error in this cause.

in place of Horatio L. Whitridge deceased as aforesaid, with liberty to issue this writ of error.

Theodore P. Cowell
Peter Hayden, Abraham R. Van Vest, & Edward Jenkins.
59. vs. Appellants.
Schuyler W. Dimmick

Appeal from the Circuit Court of the United States for the District of New Jersey.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Jersey, and on the motion of Mr C. H. Hill of counsel for the appellee, and consent of Counsel for the appellants, it is now here ordered adjudged & decreed by this Court that this appeal be, and the same is hereby dismissed with Costs.

per Mr Chief Justice Waite.

Ex parte In the matter of J. J House. Original Petitioner | M. J. D. McPherson by leave of the court filed and submitted petition and motion for a rule to show cause why an appeal should not be allowed in this cause.

The United States Pltff in Error. vs. W. J. Cruikshank et al. | Wm J. M. Campbell moved the Court to advance this cause and assign a day for hearing. Whereupon it is now here ordered by the Court that said motion be, and the same is hereby assigned for argument on Friday the 20th instant.

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58. Henry R. Jackson et al. Appellants. vs. The Vicksburg Shreveport & Texas R. R. Co. et al. | By consent of counsel it is on

ordered that this cause be substituted for No 37, when called for argument, and that one hour additional be allowed, each side in the argument of this cause.

Henry H. Raymond
374. vs Piff in Error,
William M. Thomas

The motion to dismiss this cause was submitted to the consideration of the court on printed arguments by Mr W. M. Boyce in support of the same, and by Mr P. Phillips in opposition thereto. Whereupon this court not being now here sufficiently advised of & concerning what order to render in the premises took time to consider.

Horace B. Claflin
494. vs. Piff in Error.
Julius Houseman
assigned &c.

Mr Arnoux of counsel for the plaintiff in error moved the court to

advance this cause on the docket and assign a day for argument Whereupon this court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.-

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Ex parte In the matter of Wm H. Moore et al Petitioners | Mr J.S. Watts by leave of the court filed motion and petition for a rule on the Judges of the Supreme Court of New Mexico, requiring them to show cause why a writ of Mandamus should not issue &c.

George S. Marsh, Appellant vs. Nathaniel K. Wilmore. | The argument of this cause was continued by Mr Artemas Libbey of counsel for the appellee and concluded

574

by Mr A.G. Stanchfield of counsel for the appellant.

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55. John W. Doane et al. vs Plffs. in Error. / Lockhart T. Glenn et al. | This cause was submitted to the consideration of the Court on printed arguments by Messrs Chipman and Horner of counsel for the plaintiff in error. - No counsel appearing for the defendant in Error.

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56. S.V. Mayes & C.W. Horner vs Plffs. in Error. / Frederick A. Fellows. | The argument of this cause was commenced by Mr T.J. Durant of counsel for the plaintiffs in error, continued by Mr J.H. Parsons and Mr N.P. Pearsons of counsel for the defts in Error & concluded by Mr T.J. Durant for the plaintiffs in Error.

Proclamation being made the Court is adjourned until Monday next at 10 o'clock

Monday. November 9. 1874.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R Waite Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Ward Hunt.

} Associate Justices.

John G. Nicolay Esquire Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr G. H. Sas- that it is ordered that John A. Bolesler Esquire of New York City be admitted to practice as an attorney & counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr P. Phillips it is ordered that Thomas H. Price Esquire of Mobile State of Alabama; B. G. Barrow Esquire of Macon, and John G. S. Dryden Esquire of St Louis State of Missouri be admitted to practice as attorneys and counsellors of this court & they were sworn accordingly.

On motion first made to the court in this behalf by Mr Attorney General Williams it is ordered that H. Kirkpatrick Esquire of Salt Lake City Utah Territory, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.-

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	The Home Insurance Company of New York	In Error to the Supreme Court of the State of Wisconsin.
35.	vs. Pliff in Error	
	John F. Morse and C. C. Paige.-	

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Wisconsin and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Supreme Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court with instructions to reverse the judgment of Winnebago County Court. And that that court is hereby instructed to grant the prayer of the petition for removal.

per Mr Justice Hunt.

Dissenting
Mr Chief Jus. Waite
" Justice Davis.

The Ship "Belle of the Sea"
Arthur Spear, master &
Claimant.

vs. Appellant

Henry H. Johnson and
Andrew F. Higgins

} Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this court, that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest at the rate of seven per cent per annum, until paid.

per Mr Justice Strong.

47. Jacob Lyon Pltf. in Error
vs.
Marie A. N. Pollard

In Error to the Supreme Court of the District of Columbia

This cause came onto be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by Counsel On Consideration whereof it is now here ordered & adjudged by this court that the judgment of the said Supreme Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court, with directions to award a new trial

per Mr Justice Miller

Walter D. Spratt
359 vs Appellant
The United States

Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed

Dissenting Mr Justice Miller
Mr Jus. Field

E. M. Bovey, S. M. Hull, and L. C. Miller
44 vs Plffs. in Error.
Cornelius M. Grinnold Executor of Sarah M. Grinnold deceased.

In Error to the Supreme Court of the Territory of Montana.

This cause came on to be heard

on the transcript of the record from the Supreme Court of the Territory of Montana and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr Chief Justice Waite

Charles T. Pollard
46. vs. Riff in Error
John F. Bailey
assignee in bankruptcy
of Fowler and Sommerville.

In Error to the District Court of the United States for the Middle District of Alabama.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Middle District of Alabama, and was

argued by counsel On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby reversed with costs And that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the District of Alabama sitting at Mobile with directions to sustain the demurrer of the defendant to the declaration of the plaintiff and to give judgment accordingly.

(per Mr Chief Justice Waite.

Ex parte In the matter of J. J. Rouse. Original Petitioner.

Mr J. D. McPherson in behalf of the petitioner by leave of the Court having filed a motion for an alternative writ of Mandamus in this

cause to be directed to the Judge of the District Court of the United States for the Northern District of Mississippi requiring and commanding him to allow an appeal to the Supreme Court of the United States from the decree entered by said District Court on the 26th day of October A.D. 1874. in the case of J. J. House complainant, and E. C. Page & Co. et al defendants, or in default thereof to show cause to the contrary at a time to be named by the Court. On consideration whereof it is now here ordered by the Court that an alternative writ of mandamus be granted according to the prayer of the petitioner returnable on Friday the 11th day of December A. D. 1874.

per Mr Chief Jus. Waite.

Henry H. Raymond 379 vs Pltff in Error William M. Thomas	Ordered by the court that the consider-

ation of the motion to dismiss this cause be, and the same is hereby postponed until the final hearing of the cause.

per Mr Chief Jus. Waite.

Horace B. Claflin 1194 vs Pltff in Error Julius Hausman appellee &c.	On consid- eration of the motion to advance

this cause on the docket, and assign a day for argument, it is now here ordered by the court that said motion be, and the same is hereby denied.

per Mr Chief Jus Waite.

Ex parte In the matter of Wm. A. Moore et al. Petitioners.	On consider- ation of the motion of

Mr J. S. Watts

for a rule on the Judges of the Supreme Court of the Territory of New Mexico, requiring them to show cause why a mandamus should not issue to them in this cause it is now here ordered by the court that said motion be, and the same is hereby denied.

per Mr Chief Justice Waite.

The United States
vs. Appellants
The Bark "Acorn" her boats &c. and
Muir claimant.

Appeal from the Circuit Court of the United States for the Eastern District of Michigan

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Michigan and on the motion of Mr A. B. Brown of Counsel for the appellee it is ma

here ordered & adjudged & decreed by this court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed.

per Mr Chief Jus. Waite.

The United States
378 vs Plffs. in Error
Hiram Reese et al.

On motion of Mr Attorney General Plff. in Error it is ordered that this cause be, and the same is hereby advanced and set for argument on the first Wednesday (that the court may be in session) after the holidays.)

Henry R. Jackson et al.
55. vs. Appellants.
The Vicksburg Shreveport and Texas R. R. Co.

The argument of this cause was commenced by Mr H. M. Spofford of counsel for the appellants & ended by Mr W. H. Hunt for the appellees.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday November 10 1874

Pursuant to adjournment the Court met to day at the Capitol

Present.

The Honorable Morrison R Waite Chief Justice

Nathan Clifford
Noah H Swayne
Samuel F Miller — Associate
David Davis — Justices.
Stephen J Field
William Strong
Ward Hunt.

John G Nicolay Esquire Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr R. D Murray it is ordered that John Francis Kelly Esquire of Washington City, District of Columbia be admitted to practice as an attorney & counsellor of this Court & he was sworn accordingly.

On motion first made to the Court in this behalf by Hon William M. Evarts it is ordered that E. Francis Hyde Esquire of New York City be admitted to practice as an attorney & counsellor of this court and he was sworn accordingly.

87 The City of Battle Creek. Pff. in Error vs. George N. Taylor. | In Error to the Circuit Court of the United States for the Eastern District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Michigan and on the motion of Mr J. A. Wells in behalf of counsel, and stipulation on file, it is now here ordered and adjudged by this court that the judgment of the said Cir-

cuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Michigan.

per Mr Chief Jus Waite.

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58. Henry R. Jackson et al. vs. The Vicksburg, Shreveport and Texas R. R. Company. Appellants

The argument of this cause was continued by Mr M. St. Hunt of Counsel for the appellees, and concluded by Mr J. A. Campbell of counsel for the appellants.

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57. The Union National Bank of Pittsburg vs. Pittsburg Iron City National Bank of Pittsburg. Pltff in Error

This cause was argued by Mr Jno. A. Wills of counsel for the pltff in error. No counsel appearing for the deft in Error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock

Wednesday November 11. 1874.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.

} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Newby Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon Wm M. Evarts it is ordered that L. H. Powell Esquire of Chicago State of Illinois and William Pitt Bartlett Esquire of Eau Claire State of Wisconsin be admitted to practice

as attorneys and counsellors of this court, and they were sworn accordingly.

The Milwaukee & St Paul Railway Co. vs Timothy Kellogg.	Nov 6. S. Binney of Counsel for the defendant in Error

793. Plaintiff in Err.

having filed and read in open court the following certificate to wit.

United States Circuit Court, District of Iowa.

I, George B Corkhill Clerk of said Court for said district do hereby certify that in a certain cause in said Court wherein Timothy Kellogg was plaintiff and the Milwaukee & St Paul Railroad Company was defendant said Court rendered judgment against said defendant, and in favor of said plaintiff

on the 16th day of May A.D. 1874 the same being of the May Term A.D. 1874, for the sum of $ 12.502.50 interest and costs. That thereafter to wit on the 18th day of May A.D. 1874, the said defendant sued out a writ of error to said Court which said writ of error was allowed and a citation signed and supersedeas bond approved on the said 18th day of May 1874.

In testimony whereof I hereunto subscribe my name and affix the seal of said Court, at my office in Des Moines in said District this 26th day of October A.D. 1874

Seal

George B Corkhill
Clerk Circuit Court U.S.
District of Iowa.

and having stated that the plaintiff in error had altogether failed to file the record of said cause in this Court or in any way to pros-

coule said writ of error now here
moved the Court in pursuance
of the 9th Rule of this Court to have
this writ of Error docketed and
dismissed. On consideration
whereof it is now here ordered
and adjudged by this Court that
the writ of Error in this cause
to the Circuit Court of the
United States for the District
of Iowa be and the same is
hereby docketed and dismissed
with costs And that this cause
be, and the same is hereby
remanded to the said Circuit
Court to be proceeded in ac-
cording to law & justice the
said writ of Error notwithstanding.

per Mr Chief Jus. Waite.

The Grand Rapids Mining, Manfg, and Transportation Compy. vs. Pfff. in Error
Walter M. Phillips et al

The argument of this cause was commenced by Mr J. J Allen of counsel for the plaintiff in error, continued by Mr H. S Greene of counsel for the defendant in error and concluded by Mr Ewers for the plaintiff in error.—

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday November 12th 1874

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice.

Nathan Clifford
Noah H Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.

} Associate

John G. Nicolay Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr J. H. Ashton it is ordered that John E. Iglehart Esquire of Evansville State of Indiana be admitted to practice as an attorney & counsellor of this court & he was sworn accordingly.

On motion first made to the court in this behalf by Mr Mckinson Esqr it is ordered that George H. Bates Esquire of Wilmington State of Delaware be admitted to practice as an attorney & counsellor of this court and he was sworn accordingly.-

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The State of Florida
Injs. vs Complainant
Ed. C. Anderson Jr et al.

On motion of Mr Mckinson Esqr leave is hereby granted him to file replications of R. H. Johnson et al. to answer of Cross bill of J. M Bonsserain et al, and to Cross bill of E. C. Anderson et ab.-

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Nelson Edwards et al.
vs. Pffs. in Error
George N. Elliotts et al.

The argument of this cause was commenced by Mr D. McMahon of Counsel for the plaintiffs in

error, continued by Mr. H. D. Kearby of Counsel for the defendant in error, and concluded by Mr McMahon for the plaintiff in error.

	H. B. Tibbs	The argument of
18.	vs. Pl'ff in Err.	this cause was
	The United States.	commenced by

Mr John A. Mills of Counsel for the plaintiff in error & continued by Mr Solicitor General Phillips for the defendant in Error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday November 13th 1874.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Morrison R Waite Chief Justice

Nathan Clifford
Noah H Swayne
Samuel F Miller
David Davis
Stephen J Field
William Strong
Joseph P Bradley
Ward Hunt.

} Associate Justices.

John G Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion duly made to the Court in this behalf by Mr J W Moore it is ordered that Nimian E Whiteside Esquire of Marysville State of California be admitted to practice as an attorney and counsellor of this Court & he was sworn accordingly.

On motion first made to the court in this behalf by Mr H. M. Boyce it is ordered that Thomas C. Fuller Esquire of Raleigh State of North Carolina be admitted to practice as an attorney & counsellor of this court & he was sworn accordingly.

On motion first made to the court in this behalf by Mr H. M. Maclelland it is ordered that C. R. Greathouse Esquire of San Francisco State of California be admitted to practice as an attorney and counsellor of this court, & he was sworn accordingly.

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83. Richard M. Corwine vs. T. J. D. Fuller | Appellant | Appeal from the Supreme Court of the District of Columbia

This cause came on to be heard

on the transcripts of the record from the Supreme Court of the District of Columbia and on the motion of Mr R M Corwine and stipulation of parties on file it is now here ordered adjudged and decreed by this Court that this appeal be, and the same is hereby dismissed with costs. per Mr Chief Jus. Waite.

The State of Florida 3 orig. bs. Complainant C. C. Anderson Jr. et al. | On motion of Mr Bisbee, leave is hereby granted him to file motion to strike from the files of this Court, the answers of Robert H. Johnson et al., to the bill and amended bill of the State of Florida.

The State of Florida 3 orig. 2d Complainant C. C. Anderson Jr. et al. | On motion of Mr Dickinson Clark, leave is hereby

granted him & file affidavit of Robert H. Johnson et al. in this cause.

The State of Florida
3 orig: v Complainant
E. C. Anderson Jr. et al.

On motion of Mr. Bisbee the Court ordered the demurrer of the State of Florida to the Cross bill of Boisseau et al. to stand as a demurrer to the amended cross bill and by consent of Counsel gave leave to argue the same.

The State of Florida
3 orig: v Complainant
E. C. Anderson Jr. et al.

The demurrer to amended cross bill of Boisseau et al. and the motion to dismiss the Cross bills and the amended bill of the State, so far as the same relates to the Jacksonville Pensacola and Mobile Railroad Company and all other parties who do not appear from

the arguments of the bill to be citizens of the States, other than the State of Florida, were argued by Mr Boyce in support of the same: by Mr Bisbee in support of the demurrer of the State to the Cross bill of R. H. Johnson et al. and to the amended Cross bill of Bonneau et al. and in support of the motion to strike from the files the answer of R. H. Johnson et al, and in opposition to the motion to dismiss the Cross bills of Johnson et al, and the motion to strike from the files the answers of said Johnson et al, and by Mr H. M. Muckfurland in support of the Cross bill of Bonneau et al., and in opposition to the motion to dismiss the Cross Bill of said Bonneau et al. Whereupon this Court not being now here sufficiently advised of, & concerning what order to render in the

premises took time to consider)

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77. The Florida R. R. Co. vs. Pliff. in Error / C. Shuler Smith et al. | On motion of Mr Bisco Court is hereby granted him to file brief for plaintiff in error in this cause.

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18. A. P. Tilus vs. Pliff. in Error / The United States. | The argument of this cause was concluded by Mr John A. Wills of counsel for the plaintiff in Error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, November 16, 1874.

Pursuant to adjournment, the Court met to day at the Capitol.

Present

The Honorable Morrison R Waite Chief Justice

Nathan Clifford
Noah H Swayne
Samuel F Miller
David Davis
Stephen J Field
William Strong
Joseph P Bradley
Ward Hunt.

} Associate Justices

John G Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. A L Williams it is ordered that Alfred Ennis Esquire of Topeka State of Kansas be admitted to practice as an attorney & counsellor of this Court & he was sworn accordingly.—

Alexander Hardy
Thomas Botham,
& Ellen Hardy Botham.
vs
James Harbin
George Tyler, J. C.
Parrish et al

Appeal from the Circuit Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Hunt.

50 The State of Maryland Pff. in Error, vs. The Baltimore & Ohio Railroad Company. | In Error to the Court of Appeals of the State of Maryland.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Maryland and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby affirmed with costs.

Per Mr Justice Strong.

Dissenting
Mr Justice Clifford
" " Field.

401. Silas Woodson and H. Clay Ewing. vs Appellants. Orick H. Murdock and Luther C. Clark. — Appeal from the Circuit Court of the United States for the Western District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Strong

Dissenting
Mr Justice Miller,
" " Davis.

	Noyes L. Avery, assignee of Alexander Blake a bankrupt.	In Error to the Circuit Court of the United States for the Western District of Michigan.
29.	vs. Plaintiff in Error Catharine Hackley, Executrix and C. H. Hackley Executor of Joseph H. Hackley deceased., Charles H. Hackley, Edwin Hackley, and Porter Hackley.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs. per Mr Justice Davis.

Fred T. Perris surviving partner of George Cronyn, and Fred T. Perris as George Cronyn & Company..	In error to the
8 vs. Plaintiffs in Error.	Supreme
William G. Higley, J. F. Norman, & Joseph P. Thurston	Court of the Territory of Utah

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Miller

(Mr Chief Justice Waite took no part in the decision of this cause.)

The United States. | In Error to
142. vs. Pffs. in Error. | the Circuit
Henry J. Baecklen | Court of
Christian Schorr, and | the United
Frederick Alterogt. | States for
the Dis-
trict of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed. Per Mr Jus. Swayne.

Dissenting.
Mr Jus. Bradley
" " Clifford
" " Davis
" " Strong.

Monday, November 16th 1874. Continued.-

399. Henry A. Smythe Collector of the Port of New York Plff in Error Henry C. Fisk, Thomas R. Clark, & Thomas J. Flagg.

In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be, and the same is hereby Reversed with costs - And that this cause be, and the same is hereby remanded to the said Circuit Court with di-

sections) to award a venire facias de novo. per Mr Justice Swayne

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38 Seward and Kip vs. The Steamship "Antonio" &c. Joachim Meyer Master &c.

Appeal from the Circuit Court of the United States for the District of Louisiana

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be and the same is hereby remanded to the said Circuit

Court with directions to direct the damages found in the District Court together with the costs in both of the subordinate Courts.

per Mr Justice Clifford

Warren C. Gillette
49. vs. Pltff. in Errors
Mussena Bullard

In Error to the Supreme Court of the Territory of Montana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Montana, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

per Mr Chief Justice Waite.

Henry C. Rogers. Thomas S. Rogers. C. Arnold Weaver, & Thomas W. Gardner Val. 53 vs. The Schooner S. B. Wheeler Wm. S. Hilles. Jacob S. Wilden Claimants. Appellants. | Appeal from the Circuit Court of the United States for the

District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr Chief Justice Waite.

57. The Union National Bank of Pittsburgh. Pltff in Error, The Iron City National Bank of Pittsburgh, Garnishee of Fitzsimmons & Morrow. | In Error to the Supreme Court of the State of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Pennsylvania & was argued by counsel. On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court to be proceeded in according to law and justice. per Mr Chf Jus Waite.

The Milwaukee and St Paul Railway Co. vs. Plff. in Error
123 Timothy Kellogg.

Mr J. M. Cary of Counsel for the plaintiff

in error having suggested to the court that the plaintiff in error was prepared to file the record and have the case docketed pursuant to the Rules of this court, moved the Court to rescind and annul the judgment entered on the 10th day of November inst; docketing and dismissing this writ of Error. On consideration whereof it is now here ordered by this court that the judgment of the 11th instant, docketing and dismissing this writ of Error, be, and the same is hereby rescinded & annulled and that the plaintiff in error have leave to file his cause & have the same docketed in conformity to the rules of this court, upon

payment of costs.
per Mr Chief Justice Waite.

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57 The Union National Bank of Pittsburgh vs Pfeffer Error. The Iron City National Bank of Pittsburgh, garnishee of Fitzsimmons and Morrow.

Motion of Mr John A. Wilcox is hereby granted the Clerk to issue the Mandate in this cause.

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24 Augustin J. Amblet vs Rodney M. Whipple et al

Appellant (Specially assigned) The Argument of this cause was commenced by Mr G. H. Paschal of counsel for the appellant.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday November 17, 1874

Pursuant to adjournment the Court met to day at the Capitol

Present.

The Honorable Morrison R. Waite Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices.

John G. Nicolay Esquire. Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

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24. Augustus J. Ambler Appellant
vs.
Rodney M. Whipple et al.

(Specially assigned) The argument of this cause was continued by Mr John A. Bolester of counsel for the appellees, & Concluded by Mr Rodney Mason of counsel for

the appellant.

63.	Henry Douglass vs. Piff in Error Wm. Douglass adm. &c.	Ordered that this cause be passed until after the argument of No 71

64.	Aaron B Vanneva et al vs Piffs in Error. Benjamin R. Bryant.	This cause was submitted to the consideration of the court on the record and printed arguments by Mr H. N. Hackett in behalf of Mr Charles R. Train of counsel for the defendant in Error, and by Mr R. M. Morse junior of Counsel for the plaintiffs in Error.

65.	Edwin W Parcels vs. Piff. in Error. Priscilla Johnson and her husband	This cause was argued by Mr B. G. Burnon

of counsel for the plaintiff in error, and submitted on printed arguments by Mr John F. Benjamin for the defendants in error.

Walter S. Hubbell
66. vs. Plaintiffs.
The Town of Waterloo,
and
Gordon Hewett Jr. et al
67. vs. Appellants.
The City of Waterloo et al.

The argument of these cases was commenced by Mr E. Mariner of counsel for the plaintiffs in No 66. and appellant in No 67. The court declined to hear Mr Daniel Hall for the defense.

The Milwaukee & St Paul Railway Company.
68. vs. Appellant
James T. Sawyer surviving trustee &c.

Appeal from the Circuit Court of the United States

for the Eastern District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Wisconsin and on the consent of counsel for the respective parties it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Chief Justice Waite.

69. The Northwestern Union Packet Company vs. Pltff in Error. Chas. & Sarah A. Clough.

and

70. The Northwestern Union Packet Company. vs. Pltff in Error Euphralia F. Viles.

The argument of these cases was commenced by Mr John N. Carey of Counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday November 18th 1874.

Pursuant to adjournment the court met to day at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.

} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

The Evansville and Crawfordsville Railroad Company.
vs. Plaintiff in Error.
The Androscoggin Mills.

This cause was submitted to the consideration

1431.

of the court on the record and

printed arguments by Mr Asa Iglehart of counsel for the plaintiff in error, and by Mr Charles Denby for the defendant in error under the 20th rule.

No. 69. The Northwestern Union Packet Co. vs. Plff. in Error. Chas. H. Sarah H. Clough.

and

No. 70. The Northwestern Union Packet Company vs. Plff. in Error. Euphralia F. Viles.

The argument of these cases was continued by Mr John H. Carp of counsel for the plaintiff in error, by Mr W. P. Bartlett of counsel for the defendants in No 69, and submitted on printed argument by Mr M. H. Carpenter of counsel for the defendant in error in No 70.

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71 The Steamboat "Mollie Mohler" &c. vs. The Home Insurance Co. Appellants

This cause was argued by Mr John M. Cary of counsel for the appellants, and submitted on printed argument by Mr N. J. Emmons of counsel for the appellees.

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63 Henry Douglass vs. Pltff. in Error. Jno. Douglass adm'r &c.

(specially assigned) This cause was argued by Mr H. B. Webb and Mr P. Phillips of counsel for the plaintiff in error and by Mr Walter S. Cox, and Mr Joseph H. Bradley for the defendant in error.

Wednesday November 18th 1874 Continued.

The Germania Insurance Company &al. vs. The Steamboat Lady Pike &c.

The argument of this cause was commenced by Mr J. D. McPherson of counsel for the appellants.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday November 19, 1874.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay Esquire Marshal.
Daniel Tuley Middleton Clerk.

Proclamation being made the Court is opened.

No. 72. The Germania Insurance Company et al. vs. The Steamboat "Lady Pike" &c. Appellants.

The argument of this cause was continued by Mr Jno. D. McPherson of Counsel for the appellants

by Mr T. D. Lincoln of Counsel for the appellee and concluded by Mr McPherson for the appellants.

Joseph A. Walker vs. Pltff. in Error, Charles S Sawyer | On motion of Mr T. J. Durant it is ordered that this cause be, and the same is hereby continued to the next term.

The Florida Railroad Company. vs. Pltff in Error, C. Thaler Smith et al. | (Substituted for No 75.) The argument of this cause was commenced by Mr N. M. Merrick of Counsel for the plaintiff in Error.

Proclamation being made the Court is adjourned until tomorrow at Nine o'clock.

Friday November 20. 1874.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R Waite Chief Justice

Nathan Clifford
Noah H Swayne
Samuel F Miller
David Davis
Stephen J Field
William Strong
Joseph P Bradley
Ward Hunt
} Associate Justices.

John G Sheeley Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the court in this behalf by Mr Hill of Illinois it is ordered that John Norton Pomeroy Esquire of Rochester State of New York be admitted to practice as an attorney & Counsellor of this court and he was sworn accordingly.

George Jerome et al assignees &c 655 vs Appellants Thos. L. McCaslin, Exec.	On motion of Mr P. Phillips, it is ordered by the Court that the motion to increase the penalty of the Appeal Bond in this cause, be, and the same is hereby postponed until Friday the 11th of December next.

Henry C. Rogers et al. 53 vs Appellants The Schooner L. P. Phalen &c	On motion of Mr Hill Case is hereby granted the Clerk to issue the Mandate in this cause.

Charles Sawyer and L. B. Brown et al. Petitioners	Mr Hill by leave of the Court filed and submitted to the consideration of the Court, motion and petition

for an alternative writ of Mandamus on the Honorable Lewis B. Woodruff Judge of the Circuit Court of the United States for the Southern District of New York requiring & commanding him to cause judgment to be entered against James Lee Jr Mor. and J. Wade Davis as well as against Samuel Oakman in a cause pending in said Circuit Court entitled Charles Sawyer et al. vs Samuel Oakman. Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

The State of Florida ex. rel. Complainant vs E. C. Anderson Jr. et al. | Mr Bryce filed motion to continue

3 orig

the injunction heretofore granted,

until the final hearing of the cause.

W. H. Prince.	Mr. W. F. Mat
706. vs Plff. in Error.	lingly of Coun-
H. G. Hurkamather	sel for the
	plaintiff in

Error having suggested to the Court that the plaintiff in error was prepared to file the record and have the cause docketed pursuant to the rules of this Court moved the Court to rescind and annul the judgment entered on the 3rd. instant docketing and dismissing this writ of Error. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the 3rd inst. docketing & dismissing this writ of Error, be and the same is hereby rescinded and annulled and that the plaintiff in Error have leave to file his cause, and have the same

docketed in conformity to the rules of this court, upon payment of costs.

Per Mr Chief Justice Waite.

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733. Elphalet N. Tillotson and Wm E. Tillotson vs. Mads C. Monson. | Mr S L. Bond of Counsel for the appellee

having filed and read in open court the following certificate to wit:

"Circuit Court of the United States for the Northern District of Illinois.

In Chancery.

Elphalet N. Tillotson & William E. Tillotson vs. Complainants Mads C. Monson. | Chancery.

Northern District of Illinois ss.

I William H. Bradley Clerk of the Circuit Court of the

United States for said District do hereby certify that on the 19th day of January A. D. 1874. a decree was entered in said Court dismissing the Bill of Complaint in said entitled Cause at the Costs of the complainants, and that afterwards to wit on the 18th day of March A. D. 1874, said complainants prayed in open Court an appeal to the Supreme Court of the United States which was allowed upon giving bond with security to be approved by the Court, and that afterwards to wit: on the 19th day of March A. D. 1874. said complainants filed in said Court their appeal bond, which was duly allowed and approved by the Court in said entitled Cause, all of which appears from the records of said Court, now remaining in my custody and control.

In testimony whereof, I have

Seal

hereunto set my hand and affixed the seal of said Circuit Court at my office in Chicago in said District this thirteenth day of November A. D. 1873.

Wm. H. Bailey
Clerk"

And having stated that the appellants have altogether failed to file the record of said cause in this Court, or in anyway to prosecute said appeal, now here moved the Court in pursuance of the 9th Rule of this Court to have this appeal docketed & dismissed. On consideration whereof it is now here ordered adjudged and decreed by this Court that this appeal from the Circuit Court of the United States for the Northern District of Illinois be, and the same is

hereby docketed and dismissed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice the said appeal notwithstanding.

per Mr Chf Jus. Waite.

Bessie Elgee Gaussen Executrix &c.
1143. &s. Appellant
The United States

Mr Joseph Casey filed motion to substitute J. Madison Wells Jr. Provincial administrator, as appellant in this cause. Ordered to be heard with previous motions assigned for the 27th instant.

The United States
609. vs. Plff. in Error.
H. J. Cruikshank Etal.

On motion of Mr P. Phillips it is ordered by the Court that the motion to advance this cause be, and the

same is hereby postponed to 4th December next.

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548. The Erie Railway Co. Plff in Error. The Commonwealth of Pennsylvania. | Mr Lyman D. Gilbert Deputy Attorney General of Pennsylvania, (not a member of this Bar,) filed motion to advance this cause on the docket and assign a day for the hearing of the same.

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1 orig: The State of Texas Complainant George W. Wheeler John Chiles et al. | On motion of Mr S. F. Durant it is ordered that the argument of the return to rule in this cause be, and the same is hereby assigned for the 4th of December next.

Friday December 20. 1874. Continued.

77. The Florida Railroad Co. vs. W. Piff. in Error, C. Shaw Smith et al. (substituted for No 75.) The argument of this cause was continued by Mr W. M. Merriet of counsel for the plaintiff in error, by Mr J. N. B Lamar for the defendant in error, & concluded by Mr Merrick for the plaintiff in error.

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74. Charles Cooper et al. vs. Piff. in Error Charles E. Coates et al. This cause was submitted to the consideration of the court, on the record and printed arguments by Mr S. M. Packard of counsel for the plaintiffs in error and by Mr O. H. H. Hutchinson for the defendants in error.

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76. James F. Dane et al. vs. The Chicago Manufacturing Company. Appellants. | This cause was argued by Mr S. S. Bond of counsel for the appellants, - No counsel appearing for the appellees.

75. Joseph H. Adams Jr. et al. vs. Addie D. Adams. Appellants. | The argument of this cause was commenced by Mr J. D. Fuller of counsel for the appellants.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday November 23rd 1874

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R Waite Chief Justice.

Nathan Clifford
Noah H Swayne
Samuel F Miller
David Davis
Stephen J Field
William Strong
Joseph P Bradley
Ward Hunt.
} Associate Justices.

John G Nicolay Esquire Marshal.
Daniel Kelly Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Attorney General Williams it is ordered that J. H McKune Esquire of Sacramento State of California be admitted to practice as an attorney & counsellor of this.

Court & he was sworn accordingly.

On motion first made to the court in this behalf by Mr P. Phillips it is ordered that William T. Birdsall Esquire of New York City be admitted to practice as an attorney & counsellor of this court and he was sworn accordingly.

Samuel V. Mays and Charles H. Horner as Agents of August Born a Bankrupt 56. vs. Pltff in Error Frederick Fitton	In Error to the Supreme Court of the State of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Pennsylvania, and was argued by counsel. On consideration whereof it is now

Monday November 23rd 1874

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices.

John G. Stanley Esquire Marshal.
Daniel Henry Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Attorney General Williams it is ordered that J. H. McKune Esquire of Sacramento State of California be admitted to practice as an attorney & counsellor of this.

Court the was sworn accordingly.

On motion first made to the court in this behalf by Mr P. Phillips it is ordered that William T. Birdsall Esquire of New York City be admitted to practice as an attorney & counsellor of this court and he was sworn accordingly.

Samuel V. Mays and Charles H. Horner as Assignees of August Born a Bankrupt.	In Error to the Supreme Court of the State of Pennsylvania.
56. vs. Plff in Error.	
Frederick Fritton	

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Pennsylvania, and was argued by counsel. On consideration whereof it is now

here ordered and adjudged by this court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with Costs.

per Mr Justice Hunt.

Dissenting
Mr Jus Clifford.

Elmore S. Chittenden, H. Dudworth & Lewis Sohngen.
vs. In Error
Plffs. in Error, to the
The United States. Circuit Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and was argued by Counsel. On consideration whereof it is now here ordered & adjudged by this court that the judgment

of the said Circuit Court in this cause be, and the same is hereby reversed. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo.

Dissenting per Mr Justice Bradley.
Mr Jus Clifford
" " Swayne
" " Davis
" " Strong.

Henry R. Jackson, Wm D Shelley et al. vs. The Vicksburg, Shreveport & Texas R.R. Co. Jno. T. Ludeling et al. 58.

Appeal from the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by

counsel Thereupon after due consideration it is ordered adjudged and decreed, that the decree of the Circuit Court dismissing the bill of the complainants be reversed and set aside, and that the bill be reinstated. And it is further ordered and decreed and hereby declared that the mortgage described in the bill executed to John Ray, or bearer is still a valid lien upon all the property described therein not sold or disposed of by the Vicksburg Shreveport and Texas Railroad Company before December 23, 1865, and the rights of the holders of bonds, bona fide issued under the mortgage, are hereby setup and maintained and the holders are authorized to prove their bonds under the decree of this court or of the circuit court.

And it is further ordered adjudged and decreed that

the sale made to John T. Ludeling and his Associates and the adjudication of the Sheriff to them together or with the Sheriffs deed to them be declared to be fraudulent and void, and be set aside and cancelled and that a perpetual injunction issue commanding them and all defendants to refrain from selling up or claiming any right, title or interest under said sale or under said deed, and also commanding them, their agents and servants to refrain from selling or otherwise disposing of any of the property rights Credits privileges or effects covered by or embraced within the Mortgage made by the said The Vicksburg Shreveport and Texas Railroad Company.

And it is further ordered adjudged and decreed that this cause be remitted to the Circuit Court for the District of Louisiana with instructions to direct an

account to be taken of all the property of the said corporation and to appoint a receiver thereof, and also to order that the property described or mentioned in the said mortgage be sold under the direction of that Court, for the benefit, first of all the bona fide bondholders secured by the mortgage, and secondly, for the benefit of other creditors of the company and its stockholders, upon such terms as may appear best calculated to promote the interests of all.

And it is further ordered and decreed that the defendants do account for all money and property received by them out of the property so sold to them, or any of them or from its profits or income and pay and deliver whatever on such accounting may be found due from them to the said receiver.

And it is further ordered and

decreed that the defendants do account for all money and property received by them out of the property so sold to them, receiving in their account such credits as under the circumstances of the case by the law of Louisiana they are entitled to. And that they pay and deliver to the receiver whatever on such accounting may be found due from them.

And it is ordered & adjudged that the defendants do pay the costs in this court and in the circuit court.

per Mr Justice Strong.

(Mr Justice Bradley took no part in the decision of this cause.)

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54. Georg S. Marsh & al. Appellants. / Nathaniel M. Whitmore

Appeal from the Circuit Court of the United States for the District of Maine.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maine & was argued by counsel On consideration whereof it is now here ordered adjudged & decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Field.

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30 The United States vs. The Steamer "Montello" &c. Stephen McBooth, et al., Claimants.

Appeal from the Circuit Court of the United States for the Eastern District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern

District of Wisconsin, and was argued by counsel On consideration whereof it is now here ordered adjudged and decreed by this court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed. And that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this court.

per Mr Justice Davis.

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51. George Hearn vs The New England Mutual Marine Insurance Company. | Appeal from the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard

on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts and was argued by Counsel. On consideration whereof it is now here ordered adjudged & decreed by this court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Swayne.

The Equitable Safety Insurance Company. vs George Mears.

52. Appeal from the Circuit Court of the United States for the District of Massachusetts.

This cause came onto be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts and was argued by counsel. On consideration whereof it is now

here ordered adjudged and decreed by this court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar decrees bear in the courts of the State of Massachusetts.

Per Mr Justice Swayne.

John W. Doane, Patrick J. Towle, and John Roper partners as J. W. Doane & Co. pls in Error,
55. vs.
Lockhart T. Glenn & George O. Talpey

In Error to the Supreme Court of the Territory of Colorado.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Colorado and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the

said Supreme Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court with directions to award a venire facias de novo.

per Mr Justice Swayne.

Edson T. Stickney assignee in bankruptcy of P. Vandever vs. Appellant. Harrison Hill.

Appeal from the Circuit Court of the United States for the Northern District of Ohio.

37

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed

by this court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to dismiss the petition for the want of jurisdiction.

per Mr Justice Clifford.

66. Walter S. Hubbell vs The Town of Waterloo. (On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the Eastern District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Wisconsin and on the points or questions on which the Judges of the said Circuit

Court were opposed in opinion and which were certified to this court for its opinion agreeably to the act of Congress in such case made and provided, and was argued by Counsel. On consideration whereof it is the opinion of this Court that the questions certified in this cause, should be answered in the negative. Whereupon it is now here ordered and adjudged by this court that it be so certified to the said Circuit Court.

per Mr Chief Justice Waite.

Gordon Hewitt Jr., Robert Dow, and E. B. Dickerman.

67. vs. Appellants.

The City of Watertown Theodore Prentiss, Anton France, F. Meyer J. T. Moak, D. Kehr, F. Kusel, L. Reisdorf et al.

Appeal from the Circuit Court of the United States for the Eastern District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Wisconsin, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Chief Justice Waite.

548. The Erie Railway Co. vs Plff. in Error, The Commonwealth of Pennsylvania. | On consideration of the motion to advance this cause and assign a day for argument it is now ordered by the Court that said motion be granted, and that the cause be, and the same is hereby set down for argument on the 3rd Tuesday in January next

(being the 19th day of the same month.)

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609. The United States vs. Pfff. in Error. Wm. J. Cruikshank et al. | On consideration of the motion to advance this cause and assign a day for argument, it is now here ordered by the Court that said motion be granted; and that the cause be, and the same is hereby set down for argument on the first Monday in March next. (being the first day of said month.)

The Chief Justice announced to the Bar that the Court will adjourn on Wednesday next to Monday the 30th inst.

Joseph H. Adams Jr. Appl
vs. Appellants.
Addie D. Adams. -

The argument of this cause was continued by Mr T. J. J. Fuller of counsel for the appellants & by Mr John Selden and Mr Ot. H. Boyce of counsel for the appellee. -

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Proclamation being made the Courts adjourned until to morrow at twelve o'clock.

Tuesday November 24. 1874.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. P. H. Conway it is ordered that Joseph Cox Esquire of Cincinnati State of Ohio be admitted to practice as an attorney and counsellor of this Court & he was sworn accordingly.

1150. John H Cannon vs. Piff in Error. The City of New Orleans

This cause was submitted to the consideration of the Court on the record & printed arguments by Mr R. H. Marr, and Mr P. Phillips of counsel for the plaintiff in error, and by Mr Wheeler H. Peckham for the defendant in error under the 20th rule.

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75. Joseph H. Adams Jr et al. vs. Addie D. Adams. Appellants

The argument of this cause was continued by Mr W. H. Boyce of Counsel for the appellee, and concluded by Mr Edward Sander of counsel for the appellants.

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608. The County of St Clair vs. John S. Lovingston et al. Plaintiff in error

This cause was submitted to the consideration of the Court on

the record and printed argu-
ments by Mr Gustavus Koerner
of counsel for the plaintiff in error
and by Mr Wm H. Underwood
for the defendant in error un-
der the 20. rule.

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78. James M. Thompson vs. H. B. Donaldson et al. Appellant. | This cause was argued by Mr W. F. Otto and Mr John A. Grow of counsel for the appellant, and by Mr F. J. Durant of counsel for the appellee.

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79 The County of Lee vs. Plff in Error. Henry Clews & Co. and 80 The County of Chambers vs. Plff. in Error. Henry Clews & Co. | Ordered by the Court that these cases be, and the same are hereby passed until Monday next.

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81. The Keystone Bridge Co vs. The Phenix Iron Company. Appellant. | Ordered by the Court that this cause be,

and the same is hereby continued to the next term - (per stipulation of counsel on file.)

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82. Edward Duparcenc. vs. Albin Rochereau. Plff in Error | This cause was submitted to the

consideration of the court on the record and printed arguments by Mr A. C. Story of counsel for the plaintiff in error, and by Mr Louis Janin for the defendant in error.

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84. David Daws et al. vs. The National Exchange Bank of Milwaukee. Plffs. in Error | Ordered by the Court that this cause be and the

same is hereby passed until No 154 is reached.

	Henry Michaels et al.	The argu-
85.	vs. Appellants.	ment of
	Hoyt Post. appd.	this cause

was commenced by Mr John N. Pomeroy of Counsel for the appellants.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday November 25. 1874.

Pursuant to adjournment the Court met to-day at the Capitol

Present

The Honorable Morrison R. Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Phelps Phelps it is ordered that Benjamin Dean Esquire of Boston State of Massachusetts be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

Henry Michaels et al. vs. Hoyt Post assigned &c. | Ordered that leave be granted Mr H. B. Brown the counsel for the appellee to file brief in this cause by Wednesday of next week, & that Mr Pomeroy of counsel for the appellants have leave to file a reply brief in one week after he receives the brief of Mr Brown.

85.

Henry Michaels et al. vs. Hoyt Post assigned &c. | The argument of this cause was concluded by Mr John N. Pomeroy of counsel for the appellants.

85.

Paul H. Lewis vs. John G. Cocks. | This cause was argued by Mr P. Phillips of counsel for the appellant & by Mr C Robinson for the appellee.

86.

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88. The Buffalo and Erie R.R. Co. vs. Plff. in Error. The Commonwealth of Pennsylvania. | In Error to the Supreme Court of the Commonwealth of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Commonwealth of Pennsylvania, and on the authority of counsel for the plaintiff in error on file, it is now here ordered and adjudged by this Court, that the writ of error in this cause be, and the same is hereby dismissed with costs. per Mr Chief Jus. Waite.

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89. The Cleveland, Painesville and Ashtabula R.R. Co. vs. Plff. in Error. The Commonwealth of Pennsylvania. | In Error to the Supreme Court of the Com-

monwealth of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Commonwealth of Pennsylvania, and on the authority of Counsel for the plaintiff in error on file, it is now here ordered and adjudged by this Court that the writ of Error in this cause be, and the same is hereby dismissed with costs.

per Mr Chief Justice Waite.

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90 D. Ricketts vs. Plff in Error. W. C. Hall & J. S. Long, partners as Hall and Long. | In Error to the Circuit Court of the United States for the District of Kentucky.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky, and

on the authority of counsel for the plaintiff in error on file, it is now here ordered and adjudged by this court, that the writ of error in this cause be, and the same is hereby dismissed with costs.

per Mr Chief Justice White.

No quorum being made the court is adjourned until Monday next at twelve o'clock.

Monday November 30 1874.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the court in this behalf by Mr J. Chamberlain it is ordered that Ezra Hall Esquire of Hartford State of Connecticut be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

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74. Charles Cooper, George Rogers & Gray Cooper, J. C. Debis, and Frank L. Fairchild vs. Plaintiffs in error
Chas. C. Coales, George H. Coales, & J. Pennock Coates

In error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with Costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of

per Mr Justice Hunt.

	The Evansville & Crawfordsville Railroad Company.	In Error to the
431	vs.	Circuit
	The Androscoggin Mills.	Court of the

Error to the Circuit Court of the United States for the District of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana and was argued by counsel. On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to enter judgment on the demurrer in favor of the defendant.

Per Mr Justice Hunt.

71. The Steamboat "Mollie Mohler" her boats &c. The North Western Union Packet Company, claimants & Peyton S. Davidson, and Joseph A. Shephard stipulators vs. The Home Insurance Company of New York. Appellants.

Appeal from the Circuit Court of the United States for the Eastern District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Wisconsin, and was argued by counsel. On consideration whereof it is now here ordered adjudged & decreed by this court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that

decrees bear in the courts of the State of Wisconsin.

per Mr Justice Davis.

Augustus J. Ambler, Appellant. | Appeal from the Supreme Court of the District of Columbia.
214 vs.
Rodney M. Whipple & Thomas S. Dickerson

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this court that the decree of the said Supreme Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr Justice Miller.

Henry Douglass 63. vs. Piff in Error. William Douglass administrator of John Douglass deceased.	In Error to the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Supreme Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court with directions to award a venire facias denovo, and to proceed in conformity with the opinion of this Court. per Mr Justice Swayne.

Nelson Edwards, Charles A. Woolsey, & Geo. Collins vs. Plffs. in Error.	In Error to the Court of Errors & Appeals of the State of New Jersey
62 Geo. W. Elliott, David Ripley, William A. Ripley, Charles C. Ripley, & John N. Ripley.	

This cause came on to be heard on the transcript of the record from the Court of Errors & Appeals of the State of New Jersey, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Court of Errors and Appeals in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Clifford.

E. B. Tiles vs. Plff in Error. The United States.	In Error to the Circuit Court of the United States for the
18	

Southern District of Georgia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Georgia, and was argued by Counsel. On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed.

per Mr Chief Justice Waite.

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64. Aaron B. Vannevar, Edward S. Dane, Andrew Peirce Jr, T. H. Peirce, W. H. Bradstreet, P. G. Bradstreet, Jason Collins, Julia Kimball, & Thomas A. Rich, claimants of Steamboat "Eastern Queen" vs. Pltffs. in Error. Benjamin R. Bryant.

Error to the Superior Court of the State of Massachusetts.

This cause came on to be heard on the transcript of the record from the Superior Court of the

State of Massachusetts and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Superior Court in this cause be, and the same is hereby affirmed with Costs & interest until paid at the same rate per annum that similar judgments bear in the courts of the State of Massachusetts.

per Mr Chief Justice Waite.

Ex parte, In the matter of Charles Sawyer, J. B. Brown et al. 5 originals. - Petitioners

On consideration of the motion & petition for a writ of mandamus filed in this cause by Mr C. H. Hill in behalf of Mr John Lathrop of counsel for the petitioners it is now here ordered by the Court, that the Honorable Lewis

B. Woodruff Judge of the Circuit Court of the United States for the Southern District of New York show cause on the 18th day of December 1874. why a writ of Mandamus should not issue to him, commanding him to cause judgment to be entered against James Lee Jr. and J. Wade Davis, as well as against Samuel Oakman, in a cause pending in said Circuit Court entitled Charles Sawyer et al, vs. Samuel Oakman.

per Mr Chief Jus. Waite.

John C. Allen. vs. The 1st National Bank of Venia. | In Error to the Supreme Court of the State of Ohio.

355.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Ohio, and on the motion of Mr Rodney Mason of counsel

for the plaintiff in Error, stating that the matters in controversy in this cause have been agreed & settled between the parties it is now here ordered and adjudged by this court that the writ of error in this cause be, and the same is hereby dismissed with costs.

per Mr Chief Jus. Waite.

Chester A. Arthur Collr
549. vs. Piff in Error
Auguste Richard et al.

On motion of Mr Attorney Genl Williams

it is ordered by the court that this cause be advanced and set down for argument on Monday the 7th day of December next.

Wm. A. Haycraft 175. vs. Appellant The United States. and W. L. & J. L. Lane ebal minors. 176. vs. Appellants. The United States.	On motion of Mr T. H. Barbey it is ordered that the argument of these cases be postponed until Thursday the third day of December next.

The County of Lee 79. vs. Riffin Error. Henry Clews & Co. and The County of Chambers. 80. vs. Riffin Error. Henry Clews & Co.	These cases were argued by Mr R. T. Merrick of counsel for the plaintiffs in Error, & submitted on printed argument by Mr S. F. Rice for the defendants in error.

The County of Lee 79 vs. Piff in Error Henry Clews & Co. and The County of Chambers 80. vs Piff in Error. Henry Clews & Co.	In these Cases it is ordered by the Court that the plaintiffs in error file writ of error bond to be approved by the Clerk of this Court, within thirty days from this date.

Virginia O. Holmes 91. vs. Appellant Thomas J. Holmes Jr et al.	The argument of this cause was commenced by Mr Edward Lander of counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow at ten o'clock.

Tuesday December 1. 1874.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Ward Hunt.
} Associate Justices

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

Aaron B. Vanneter et al. vs. Piffs in Error, Benjamin R. Bryant. 64.

Motion of J. McF. H. Hackett

It is ordered that leave be granted the Clerk to issue the mandate in this cause.

91.	Serena C. Holmes vs. Thomas J. Holmes Jr. et al.	Appellant	The argument of this cause was continued by Mr Edward Lander of counsel for the appellant by Mr George H. Williams for the appellees, and concluded by Mr J. W. Moore of counsel for the appellant.

135.	The Railway Passengers Assurance Company of Hartford Connecticut vs.	Plff in Error	In Error to the Circuit Court of the United States for the Western District of Pennsylvania
	J. A. Whitling, and W. J. Patton administrators of J. A. Whitling decd		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Pennsylvania, and on the motion of Mr H. C. Robinson of counsel for the plaintiff in Error, it is now

here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs.

per Mr Chief Jus. Waite.

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92. The London Liverpool and Globe Insurance Co. vs. Pfff in Error. Samuel C. Colt.

The argument of this cause was commenced by Mr Ezra Hall of counsel for the plaintiff in error & continued by Mr H. C. Robinson for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday December 2d 1874.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Ward Hunt
} Associate Justices.

John G. Nicolay Esquire Marshal
Daniel Newley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. S. O. Houghton, it is ordered that S. F. Leib Esquire of San Jose State of California be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

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92. The London Liverpool & Globe Insurance Co. vs. Pff. in Error Samuel C. Colt.

The argument of this cause was continued by Mr H. C. Robinson of counsel for the defendant in error, and concluded by Mr F. Chamberlin for the plaintiff in error.

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93. The Franklin Fire Insurance Company vs. Pff. in Error. Samuel C. Colt.

The argument of this cause was commenced by Mr Ezra Hall of counsel for the plaintiff in error, and continued by Mr R. D. Hubbard of counsel for the defendant in error.

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196. David A. Secombe vs. Pff in Error. The Milwaukee and St Paul Railway Co.

This cause was submitted to the consideration of the Court on the record and

printed arguments by Mr D. A. Secombe the plaintiff in error and by Mr J. R. E. Cornell for the defendant in error under the 20th rule.)

The United States
334 vs. Appellants.
John L. Villalonga

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr Attorney General Williams of counsel for the appellants and by Messrs Pinner & Peck for the appellee (under the 20th rule.)

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday December 3d 1874.

Pursuant to adjournment the Court met to day at the Capitol

Present.

The Honorable Morrison R Waite Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
William Strong
Ward Hunt.

} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. T. M. Bayley it is ordered that H. H. Willard Esquire of Washington City District of Columbia, and Leonard M. Coss, & Samuel A. Miller Esquires of Cincinnati State of Ohio be admitted to practice as Attorneys & Counsellors of this court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr Joseph Casey it is ordered that Lyman D. Norris Esquire of Grand Rapids State of Michigan be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

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On motion first made to the court in this behalf by Mr R. D. Hubbard it is ordered that Lewis B. Fleckner Esquire of New York City be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

055.	George Jerome et al, assignees vs. Thomas T. McCauley trustee.	Mr M H Carpenter filed

Motion with two affidavits in support thereof, and gave notice

that he should move the court tomorrow to postpone the argument of the motion to increase the appeal bond in this cause.

The Franklin Fire Insurance Company. 93 vs Piff in Error. Samuel C. Catt.

The argument of this cause was continued by Mr R. D. Hubbard of counsel for the defendant in error, & concluded by Mr F. Chamberlain of counsel for the plaintiff in error.

Thomas Green et al. 95 vs Appellants. Catharine Green et al.

This cause was submitted on the consideration of the Court on the record and printed arguments by Mr H. B. Hebb and Mr L. S. Mills of counsel for the appellants & by Mr N. S.

Cox for the appellees.

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96. The Winnington and Wilton Railroad Co. vs Pltff in Error. Henry King Exr. &c. | Ordered by the Court that this cause be, and the same is hereby continued to the next term.

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97. Willard Mason vs Appellant. Edmund Rc Indemnitor &c. | Arrangement of this cause was commenced by Mr Benjamin Dow of counsel for the appellant and continued by Mr J. C. Mayrhofer of counsel for the appellees

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William A. Maycraft 175. vs Appellant The United States. and W. L. and J. L. Lunt et al. 176. vs Appellants The United States.	Ordered that these cases be postponed until Monday next the 7th inst., to be heard after the argument of No 549, assigned for that day.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday December 4. 1874.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
William Strong
Ward Hunt
} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Money Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon Matt H. Carpenter it is ordered that John C. Spooner Esquire of Hudson St Croix County State of Wisconsin be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Friday December 4. 1874. Continued.

The Commissioners of Hamilton County Ohio. vgn. vs. Piff in Error. John Gay. —

Mr S. F. Niles of counsel for the plaintiff in Error

having suggested to the court that the plaintiff in error was prepared to file the record in this cause, and have the same docketed pursuant to the rules of this court, moved the court to rescind and annul the judgment entered on the 23rd of October last docketing and dismissing this writ of error. On consideration whereof it is now here ordered by this court that the judgment of the 23rd of October last docketing and dismissing this writ of error be, and the same is hereby rescinded and annulled. And that the plaintiff in Error have leave to file his cause and

have the same docketed in conformity to the rules of this court, upon payment of costs.

per M. Chief Jus. Waite.

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341. J. Sterling Morton et al. vs. Pltffs. in Error, J. T. Green et al. - | On motion of Mr E. R. Hoar it is now here ordered by the Court that this cause be advanced on the docket for argument on such day as counsel may agree upon.

The State of Wisconsin by Complainant, The City of Duluth and N. P. R. R. Co. - | Mr J. C. Sloan of Counsel for the Complainants asked and obtained leave to file bill in this cause, and for subpoenas to issue: Whereupon this Court not being now here sufficiently advised of, and concerning what order to render

in relation to the subpoenas in the premises took time to consider.

The Carrondelet Street and Carrollton City R. R. Company.

747. vs. Appellants.

John Poitevant, & Joseph A. Favre, Copartners as Poitevant and Favre.

Mr M. H. Carpenter having filed & read in open Court the following certificate viz:

"United States Circuit Court, for the fifth Judicial Circuit and District of Louisiana

Clerks Office

I Francis Venot Deputy Clerk of the United States Circuit Court for the Fifth Judicial Circuit and District of Louisiana do hereby certify, that in the case of John Poitevant and Joseph A. Favre, Copartners under the name of Poitevant & Favre vs. The Carondelet Street & Carrollton

City Rail Road Company of the Parish of Orleans, a corporation created owned and by virtue of the laws of the State of Louisiana No 6918, of the docket of said court the following judgment was rendered on the 8th December 1873, and signed on the 12th December 1873 - "This cause came on to be heard at this Term, a procureo having been entered at the last term of the Court, and the report of the Master Robert H. Shannon having come in, and been filed showing the amount due by the defendants to the plaintiffs to be Five thousand eight hundred and sixty-eight 81/100 dollars with interest, and the case was argued by the counsel for the complainants, and thereupon on consideration thereof, it was ordered adjudged and decreed as follows, viz:

That the Carondelet Street and Carrollton Railroad with its property, iron rails cross ties implements machinery cars, cars implements, lumber, road bed, franchises and privileges be sold in the City of New Orleans by the said Robert H. Shannon master in chancery after thirty days notice published in the New Orleans Republican Newspaper and out of the proceeds to pay and satisfy the lien of the said plaintiff on the said road property &c. to the extent thereof, say the sum of five thousand eight hundred and sixty-eight 87/100 dollars, with five per centum per annum interest from the 13th of January 1873, until paid together with Four 50/100 dollars costs of protest and make title to the said property to the purchaser and the report of the proceedings to make

to the Court.

And for any balance that may remain due to the plaintiffs of the said sum of money, and interest after applying the nett proceeds of the said sale, & the intention thereof the plaintiffs were adjudged and decreed a personal judgment against the defendant corporation, and the defendant shall pay all costs.

And that on the 20th day of December, 1873, an appeal to the Supreme Court of the United States & operate as a supersedeas was allowed to the said Carondelet Street and Carrollton Railroad Company returnable on the Second Monday of October 1874.

In testimony whereof I have unto subscribed my name and affix the seal of said Court at the City of New Orleans the tenth day

of November A.D. 1874.

F. A. Woolfley
Clerk"
by F. B. Vinot
Dy Clerk."

and having stated that the appellants had altogether failed to file the record of said cause in this Court or in anyway to prosecute said appeal, now here moved the Court in manner of the 9th rule of this Court that this appeal docketed and dismissed. In consideration whereof, it is now here ordered adjudged and decreed by this Court that this appeal from the Circuit Court of the United States for the District of Louisiana be, and the same is hereby docketed and dismissed with costs and that this cause be, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law & justice the said appeal notwithstanding.

per Mr Chief Justice Waite

535. The United States vs Appellants. William S. Shrewsbury. | This cause was submitted to the consideration of the Court on the record and printed arguments by Mr Attorney General Williams and Mr Assistant Attorney General Goforth of counsel for the appellant, and by Mr C. H. Peck for the appellee (under the 20th rule.)

4011. Warren Mitchell vs Appellant The United States. | On motion of Mr Assistant Attorney General Goforth, it is ordered by the Court that this cause be advanced on the docket and set down for argument on the 26th of January next.

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655. Geo. Jerome & T. C. Beaman vs Assignees &c. 416. Wm. S. McCalla Trustee. | Mr Geo. H. Edmunds called up the motion

to increase the amount of the bond given on appeal and to require additional sureties in this cause. which was opposed by Mr Carpenter and Mr Phillips who asked for a postponement of said motion for the present. Whereupon the Court ordered that a hearing of the motion be commenced by the Counsel for the appellees.

George Krome, and
R. Beaman assignees &c
055. vs. Appellants
Thomas A. McCandless

The argument of the motion to increase the amount of the bond given on appeal and to require additional sureties in this cause was commenced by Mr Alfred Russell in support of the same. Further argument on this motion postponed until Friday next.

The State of Texas, Comp: pl Complainant
vs
Geo. N. White, Jno Chiles et al.

This cause came on to be heard on the return to rule heretofore issued to John Chiles one of the defendants in this cause, and said return having been read by Mr Albert Pike of counsel for defendant; it is ordered that the complainant file interrogatories to be propounded to John Chiles by Monday next; which he shall answer on or before Friday next.

The State of Texas Comp: vs Complainant
John Chiles.

On motion of Mr S. J. Dumont it is ordered that leave be granted to file bill in this cause; and that subpoena issue to the defendant John Chiles. Mr Albert Pike of counsel waived the issuing of subpoena and entered an appearance for the defendant.

and submitted to a rule to demur, plead or answer within sixty days from this date.

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97. William Mason vs Edmund H. Graham et al. | The argument of this cause was continued

by Mr J. C. Maynadier of counsel for the appellees and concluded by Mr Benjamin Dean for the appellant.

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98. Thomas D. M. Gourley vs. Pltff. in Error Wm. D. Lawrence et al. | This cause was submitted to the consideration of the Court on the record and printed arguments by Mr U. M. Rose of counsel for the plaintiff in error, and by Mr A. H. Garland for the defendant in error.

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99 The Springfield Fire & Marine Insurance Co. vs. Plff. in Error
Sidney W. Lea, use &c.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr Wm. M. Swift of counsel for the plaintiff in error and by Mr N. G. Shofford, Mr S. V. Niles, and Mr Enoch Totten for the defendant in error.

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100 Frederick Schuenberg et al. vs. Plffs. in Error.
Samuel Harriman.
and
101 Andrew Schow vs. Plff. in Error,
Samuel Harriman.

The argument of these cases was commenced by Mr E. C. Palmer of Counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday December 7, 1874.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Morrison R Waite Chief Justice

Nathan Clifford
Noah H Swayne
Samuel F Miller
David Davis
Stephen J Field
William Strong
Joseph P. Bradley
Ward Hunt.

} Associate Justices.

John G Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Attorney General Williams it is ordered that James S. Botsford Esquire of Jefferson City State of Missouri be admitted to practice as an attorney & counsellor of this court & he was sworn accordingly

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Joseph H. Adams Jr. and John A. Appleton, vs. Addie D. Adams.

75. Appeal from the Supreme Court of the Dis. of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof it is now here ordered adjudged & decreed by this court that the decree of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Hunt.

The Northwestern Union Packet Company vs. Pff. in Error

69. Carlos Clough, and Sarah A. Clough his wife.

In Error to the Circuit Court of the United States for

the Eastern District of Wisconsin

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Wisconsin, and was argued by Counsel On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs. And that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire facias denovo.

per Mr Justice Strong.

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70 The Northwestern Union Packet Company. vs Plff. in Error. Euphratia F. Viles.

In Error to the Circuit Court of the United States for the Eastern District of Wisconsin

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Wisconsin, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo.

per Mr Jus. Strong.

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78. James M. Thompson vs. W. B. Donaldson, P. C. Harper, James Morrow, and Mrs Harper, claimants of the Steamer "Great Republic"

Appeal from the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana and was argued by counsel. On consideration whereof it is now here ordered adjudged & decreed by this court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to enter a decree for the libellant and for further proceedings to be had in conformity with the opinion of this court.

per Mr Justice Davis.

608	The County of St Clair vs. Pfff, in Error. Jno. B. Longstreet & The Higgins Ferry Co.	In Error to the Supreme Court of the State of Illinois.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Swayne.

The Germania Insurance Co.
The Niagara Insurance Co.
The Hanover Insurance Co.
The Republic Insurance Co.
vs Appellants,
The Steamboat "Lady Pike" her boat &c. The Barge "Salmon" Christopher G. Race, Wm. H. Hawley, Wm. H. Knight Claimants of said Steamboat and The Western Union Railway Co, Claimant of said barge.

Appeal from the Circuit Court of the United States for the Eastern District of Wisconsin.

Monday December 7, 1874 Continued

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Wisconsin, and was argued by counsel On Consideration whereof it is now here ordered adjudged and decreed by this court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs, and that this cause be, and the same is hereby remanded to the said Circuit Court with directions to enter a decree for the libellants and for further proceedings to be had therein in conformity with the opinion of this court.

per Mr Justice Clifford.

Edwin H. Parcels. vs. Riff in Error Priscilla Johnson, and her husband Henry Johnson	In Error to the Supreme Court of the State of Missouri

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and was argued by counsel. On consideration whereof it is now here ordered & adjudged by this court, that the writ of error in this cause be, and the same is hereby dismissed for the want of jurisdiction.

Per M. Chief Justice Waite.

Hermia O. Holmes vs. Appellant Thomas J. Holmes Jr., Mary A. Goodnaugh, Chas Goodnaugh, Theresa Conlson, H. C. Conlson, Alice J. Strowbridge, J. M. Strowbridge, & Byron Z. Holmes.	Appeal from the Circuit Court of the United States for the District of Oregon.

Monday December 7, 1874 Continued.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Oregon and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Chief Jus Waite.

The State of Wisconsin, Complainant, vs. The City of Dunkerque, Defendant. | On consideration of the motion of Mr J. C. Sloan it is now here ordered by the Court that subpoenas issue to the defendants in this cause, returnable on the first Monday in March A. D. 1875.

Edward Matthews 108 vs. Piff in Error. Nelson McStea.	Ordered that this case be not called for argument

before the 12th of January 1875.
(per stipulation on file)

Charles G. Scott. 749 vs. Appellant The Niles Works.	Mr W. M. Rose of counsel for the Appellee

having filed and read in open court the following certificate to wit:

United States of America Ss:
Eastern District of Arkansas.

I, Ralph L. Goodrich Clerk of the Circuit Court of the United States for the Eastern District of Arkansas do certify that in the cause wherein the Niles Works was plaintiff and Charles G. Scott was defendant in chancery lately pending in said court a final decree was rendered on the 15th

day of April A.D. 1874, and the defendant prayed an appeal therefrom to the Supreme Court of the United States which was duly allowed on the day and year last aforesaid.

Witness my hand and seal of said Court this 27th day of November A.D. 1874.

Seal

Ralph L. Goodrich
Clerk"

And having stated that the appellant had altogether failed to file the record of said cause in this court, or in any way to prosecute said appeal, now here moved the Court in pursuance of the 9th Rule of this Court to have this appeal docketed and dismissed. On consideration whereof it is now here ordered adjudged and decreed by this Court that this appeal from the Circuit Court of the United States

for the Eastern District of Arkansas be, and the same is hereby dismissed and dismissed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice the said appeal notwithstanding.

per Mr Chief Jus. Waite.

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750. Thomas H. Walker, Plff. in Error, vs. Samuel P. Moore, May A. Moore his wife and Stewart Van Vliet.

Mr U. M. Rose of counsel for the defendants in error having filed & read in open court the following certificate & writ:

United States of America, Eastern District of Arkansas } ss:

I, Ralph L. Goodrich Clerk of the Circuit Court of the United States for the Eastern District of

Ark Kansas, certify that in the cause
lately pending in said Court
wherein Thomas H. Walker was
plaintiff and Samuel P. Moore and
Mary F. Moore his wife & Henry
Van Nick were defendants, a final
judgment was rendered against
said plaintiff, and a writ of
error was sued out by him to
the Supreme Court of the United
States, and duly allowed on the
29th day of April A.D. 1873.

Witness my hand & Seal
of said Court this 27th
day of November A.D. 1874.

Seal

Ralph L. Goodrich
Clerk."

and having stated that the
plaintiff in error had alto-
gether failed to file the record
of said cause in this court, or
in any way to prosecute said
writ of error now here moved
the Court in pursuance of
the 9th Rule of this Court to

have this writ of error docketed and dismissed. On consideration whereof it is now here ordered and adjudged by this Court that this writ of Error to the Circuit Court of the United States for the Eastern District of Arkansas, be, and the same is hereby docketed and dismissed with Costs. And that this cause be, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice the said writ of Error notwithstanding.

per Mr. Chief Justice Waite.

101.	Frederick Schulenberg &al. vs. Samuel Harriman	In Error
101.	Andrew Schou vs. Samuel Harriman	In Error

Thereupon argument of these Causes was continued by Mr E. C. Palmer of counsel for the plaintiffs in error and by Mr P. L. Spooner and Mr J. C. Sloan for the defendants in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday December 8th 1874.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay Esquire Marshal
Daniel Tilley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon Henry Cooper it is ordered that Ed Burke Esquire of Nashville State of Tennessee be admitted to practice as an Attorney and counsellor of this Court & he was sworn accordingly.

On motion first made to the Court in this behalf by Mr A. J. Riddle it is ordered that J. C. Cowin Esquire of Omaha State of Nebraska be admitted to practice as an attorney & Counsellor of this Court & he was sworn accordingly.

On motion first made to the Court in this behalf by Mr T. H. Barclay it is ordered that A. H. McVey Esquire of Toledo State of Ohio be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr T. H. Barclay it is ordered that J. S. Clark Esquire of Des Moines State of Iowa be admitted to practice as an attorney & Counsellor of this Court and he was sworn according.

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100. Frederick Schulenberg et al. vs Plffs. in Error. Samuel Harriman.

and

101. Andrew Shaw vs. Plff in Error. Samuel Harriman.

The argument of these cases was continued by Mr J C. Sloan of counsel for the defendants in error, and concluded by Mr C. C. Palmer for the plaintiffs in error.

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729. Citizens' Savings & Loan Association of Cleveland O. vs. Plff. in Error, The City of Topeka.

This cause was submitted to the consideration of the Court on the record & printed argument by Mr Alfred Russell of counsel for the plaintiff in error, and by Mr A. L. Williams for the defendant in error. (under the 20th rule.)

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549. Chester A. Arthur Coll &c. vs. Augusta Richard & al. Plff. in Error.

(Assignment) The assignment of this cause was commenced by Mr Assistant Attorney General Hill of counsel for the plaintiff in error & continued by Mr Sidney Webster and Mr W. M. Evarts of counsel for the defendants in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday December 9, 1874.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller — Associate
David Davis — Justices.
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Hon Geo. G. Wright it is ordered that Frank McDavis Esquire of Corning and A. A. Leary Esquire of Rockford State of Iowa be admitted to practice as attorneys & counsellors of this Court & they

were sworn accordingly.

Cornelius Cadle Jr. Receiver &c.
13. vs. Plff. in Error.
George Baker & Co.

On the motion of Mr P. Phillips and for the reasons presented by him in writing. It is now here ordered by this Court that the order dismissing this cause be, and the same is hereby rescinded and annulled, and that the cause be reinstated on the docket.

The Commercial National Bank of Cleveland Ohio.
741. vs. Plff in Error.
The City of Iola, in the County of Allen & State of Kansas.

This cause was submitted on printed arguments by Mr Alfred Ennis for the plaintiff in Error & by Mr A. L. Williams for the defendant.

Wednesday December 9, 1874 Continued -

549	Chester A. Arthur Collr &c vs. Augustin Richard et al.	Plff in Error,

The argument of this cause was concluded by Mr Attorney General Williams of counsel for the plaintiff in error.

175	Wm. H. Haycraft vs. The United States.	Appellant
	and	
176	W. L. & J. L. Lunsdale vs. The United States.	Appellants.

The argument of these cases was commenced by Mr Joseph Casey of Counsel for the appellants & continued by Mr T. N. Bailey of counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday December 10. 1874.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R Waite Chief Justice.

Nathan Clifford
Noah H Swayne
Samuel F Miller
David Davis
Stephen J. Field
William Strong
Joseph P Bradley
Ward Hunt
} Associate Justices

John G Nicolay Esquire Marshal
Daniel Worley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon S. S. Cox it is ordered that James R Cox Esquire of Auburn State of New York be admitted to practice as an attorney & counsellor of this Court & he was sworn accordingly.

Thursday December 10. 1874.

On motion first made to the Court in this behalf by Hon R. S Hale it is ordered that Hon Charles Albright of Munch Chunk, State of Pennsylvania be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly: —

976.	The Lincoln & Laurence and Galveston R. R. Co. vs. The United States.	On motion of Mr Attorney General Williams it is ordered by the Court that this cause be announced and assigned for argument on the first day of February next.

364.	Charles R. Tucker et al vs. Nelson Ferguson et al.	Mr J. S. Black filed motion to advance

this cause and assign a day for argument. Whereupon this

Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

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175 William S. Haycraft
vs. Appellant
The United States.
and
Wm. L. Wood John L. Lund
et al. minors &c.
176 vs Appellants.
The United States.

The argument of these cases was continued by Mr Solicitor General Phillips and Mr Attorney General Williams of counsel for the appellees, and concluded by Mr T. H. Bartley for the appellants.

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36 Dennis G. Littlefield et al.
vs. Appellants,
John S. Perry, trustee &c.

On motion of Mr E. R. Hoar

it is ordered by the court that one additional hour be allowed

the appellants in the argument of this cause.

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36. Dennis G. Littlefield &al. Appellants vs. John S. Perry trustee &c. | The argument of this cause was commenced by Mr H. E. Sickels of counsel for the appellants, & continued by Mr J. M. Reynolds of counsel for the appellee.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday December 11. 1874.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon Matt H. Carpenter it is ordered that John McNulta Esquire of Bloomington State of Illinois be admitted to practice as an attorney and counsellor of

this court, and he was sworn accordingly.

The New Jersey Steamboat Company.	The motion to dismiss this cause was submitted
194 vs. Plff. in Error.	
The Whitehall Transportation Company.	

to the consideration of the Court on printed arguments by Mr Esek Cowan in support of the same and by Mr W. P. Prentice and Mr J. H. Reynolds in opposition thereto. Whereupon this court not being now here sufficiently advised of and concerning what order to make in the premises took time to consider.

George M. Schilling	This cause was
486 vs. Plff. in Error.	submitted to
The Iowa Railroad Contracting Company.	the consideration of the

Court on the record & printed arguments by Mr George D. McCrary of counsel for the plaintiff in error, and by Mr T. T. Gantt, for the defendant in error under the 30th rule.

Joseph H. Adams Jr and John A. Appleton
75. vs. Appellants.
Addie D. Adams

On motion of Mr W. W. Boyce ordered that the Clerk have leave to issue the mandate in this cause.

Geo. Jerome, and T. C. Beaman, assignees
655 vs. Appellants.
Thos. J. McCarter trustee.

The argument of the motion to increase the amount of the bond given on appeal and to require additional sureties in this cause, was continued by

Mr M. H. Carpenter and Mr W. P. Wells in opposition to the same and concluded by Mr George F. Edmunds in support of the motion. Whereupon this Court not being now here sufficiently advised of, and considering what order to render in the premises took time to consider.

E. B. Dinkenlieca et al. vs. Pffs. in Error. The United States. | On motion of Mr R. T. Merrick

28. Dis

Merrick leave is hereby granted the Clerk to issue the mandate in this cause.

Wm F. Drake vs. Pffs in Error The Exchange and Deposit Bank of Knoxville. | Mr S. F. Phillips of counsel for the defendants in error having filed & read in open court

764. Dis

the following certificate to wit.

The United States of America,
Eastern District of Tennessee.
The Exchange and Deposit
Bank of Knoxville
vs.
W. F. Drake.

I, H. M. McKee, Clerk of the United States Circuit Court for said District do hereby certify that at a regular term of said Court holden at the Court House at Knoxville within said District, beginning upon the 13th day of July 1874, and ending upon the 22d day of August 1874, in the case of the Exchange and Deposit Bank of Knoxville versus W. F. Drake lately pending in said Court a judgment was duly and regularly rendered in favor of the plaintiff and against the defendant, upon the 23d day of July 1874, for the sum of thirteen

thousand three hundred & Eighteen dollars and fifty cents ($13,318.50,) and costs of suit.

Thereupon the 17. day of August 1874. upon application of the defendant W. F. Drake, a writ of Error was duly sued out and allowed in pursuance of the statute in such case made and provided, and made returnable before the Supreme Court of the United States at Washington upon the Second Monday of October 1874.

Given under my hand & the Seal of said Court at Seal Office in Knoxville this 4th day of December 1874.

H. M. Aiken
Clerk"

And having stated that the Plaintiff in error had altogether failed to file the record of said cause in this Court, or in anyway to prosecute said writ of error, now here moved the Court in pursu-

ance of the 9th rule of this court to have this writ of error docketed and dismissed. On consideration whereof it is now here ordered and adjudged by this Court that this writ of error to the Circuit Court of the United States for the Eastern District of Tennessee be, and the same is hereby docketed and dismissed with costs, and that this cause be, and the same is hereby remanded to the said Circuit Court to be proceeded in, according to law and justice the said writ of error notwithstanding.

per Mr Chief Jus. Waite.

The State of Florida, Complainant,
3-mj; vs.
E. C. Anderson Jr. et al.

The motion to continue the injunction to restrain the collection of certain taxes in this cause, was argued by Mr W. W. Boyce in favor of

the same: Whereupon this court not being now here sufficiently advised of, and concerning what order to render in the premises look time to consider.

Dennis G. Littlefield &c.		The argument of this cause
36.	vs.	Appellants.
John S. Perry, trustee &c.		

was continued by Mr J. H. Reynolds and Mr E. M. Stoughton of counsel for the appellees.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday December 14. 1874

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Morrison R Waite Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley &
Ward Hunt.

Associate Justices.

John G. Nicolay Esquire Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in his behalf by Mr S. T. Kellogg, it is ordered that Henry T. Blake Esquire of New Haven State of Connecticut be admitted to practice as an attorney and Counsellor of this Court, and

he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Clinton Briggs, it is ordered that A. K. Griggs Esquire of Beatrice, E. C. Brown Esquire of Lincoln and Sam M. Chapman Esquire of Plattsmouth State of Nebraska be admitted to practice as attorneys & Counsellors of this Court & they were sworn accordingly.

On motion first made to the Court in this behalf by Hon Matt. H. Carpenter it is ordered that W. P. Story Esquire of La Crosse State of Wisconsin be admitted to practice as an attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr R. M. Corwine it is ordered that Burbeni N. Hanok Morlow Esquire of New York City be admitted to practice as an attorney and Counsellor of this Court & he was sworn accordingly

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95. Thomas Green, James Green, George W. Wells & William A. Ward vs. Catharine Green, Mary Catharine Green, and Alice Green. | Appeal from the Supreme Court of the District of Columbia

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Supreme Court in this

cause be, and the same is hereby affirmed with costs.

per Mr Justice Hunt.

32.	Augustus C. Watson vs. Pltf. in Error. Walter C. Bondurant.	In Error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo. per Mr Justice Bradley.

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61. The Grand Tower Mining Manufacturing and Transportation Company. vs. Walter M. Phillips and David L. St John, partners as Phillips & St John. Pltff in Error. In Error to the Circuit Court of the United States for the Southern Dist. of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois and was argued by counsel On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with

directions to award a venire facias de novo. per Mr Justice Bradley.

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334 The United States vs John L. Villalonga. | Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby reversed. And that this cause be, and the same is hereby remanded to the said Court of Claims for further proceedings to be had therein in conformity with the opinion of this court. per Mr Justice Strong.

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77. The Florida Railroad Co vs. Pfff, in Error. & Shaler Smith, and Charles St. Laroue. | In Error to the Circuit Court of the United States for the Northern District of Florida.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Florida and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to award a new trial.

per Mr. Justice Field.

196.	David A. Secombe vs. Plff in Error, The Milwaukee and St Paul Railway Co.	In Error to the Circuit Court of the United States for the District of Minnesota.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr Justice Davis.

450. John W. Cannon vs Piff, in Error. The City of New Orleans.

In Error to the Supreme Court of the State of Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the judgment and decree of the said Supreme Court in this cause be, and the same is hereby reversed with costs and that this cause be, and the same is hereby remanded to the said Supreme Court for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr Justice Miller.

Paul H. Lewis	Appeal from the
86. vs. Appellant	Circuit Court
Philip J. Cook	of the United
sole devisee and	States for the
legatee of John G.	District of
Cook deceased	Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs and that this cause be, and the same is hereby remanded to the said Circuit Court with directions to dismiss the bill.

Per Mr Justice Swayne.

48. The Rubber Tip Pencil Co. vs. Samuel E. Howard, Henry Sanger, Michael Snow, and Richard Butler. Appellants. Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Chief Jus. Waite

92. The London, Liverpool and Globe Insurance Co. vs. Sam'l C. Colt. | In Error to the Circuit Court of the United States for the District of Connecticut.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Connecticut and was argued by counsel. On consideration whereof the Court being equally divided in opinion it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Connecticut.

99. The Springfield Fire and Marine Insurance Company of Massachusetts. Plff in Error, vs. Sidney W. Sea, for the use of Daniel K. Pearson, Deft in Error. In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs & interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Illinois

per Mr. Chief Justice Waite

The New Jersey Steamboat Company. 194. vs Pff in Error. The Whitehall Transportation Company.	In Error to the Supreme Court of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, and was argued by counsel. On consideration whereof it is now here ordered & adjudged by this court that the writ of error in this cause be, and the same is hereby dismissed for the want of jurisdiction.

Per Mr Chief Jus. Waite

Edward Dupasseur 82. vs. Pff in Error. Albin Rochereau	Ordered that the counsel in this cause file additional

briefs by the first day of February next, upon the question, whether the proceeding in the Circuit

Court of the United States, instituted by Edward Dupasseur on the first of December 1863, for enforcing the vendors privilege on the property in controversy was or was not by the law of Louisiana a proceeding in rem binding on Rochereau and all other persons claiming liens thereon without making them added parties.

364	Charles R. Tucker et al. vs. Nelson Ferguson et al.	Appellants,	On consideration of the motion

of Mr. J. S. Black, this now here ordered by the Court that this cause be advanced, and assigned for argument on such day as counsel may agree upon. And Counsel having agreed upon the 3rd Monday of February, it is ordered that the cause be assigned for argument on that day.

Amendment to Rule 6

Ordered that from and after January 1st 1875, the motion day shall be Monday of each week in lieu of Friday, and motions not required by the rules of the Court to be put on the docket shall be entitled to preference, immediately after the reading of opinions; & such motions shall be made before the Court shall have entered upon the hearing of a cause upon the docket.

Amendment to Rule 20.

4. No brief or argument will be received either through the Clerk or otherwise, after a cause has been argued or submitted, except upon leave granted in open court, after notice to opposing counsel.

J. Sterling Morton et al. Pffs. in Error vs. J. T. Green et al.	On motion of Mr E.R. Hurd is ordered

391.

that this cause be assigned for argument on the 18th day of January next.

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295. Samuel S. Allen vs Appellant The Northwestern Union Packet Co. | This cause was submitted to the consideration of the court on the record and printed arguments by Mr George H. McCrary of counsel for the appellant, and by Mr A. Scott Howell for the appellee under the 20th rule.

3615- The United States vs Appellants. Andrew J. Gill. | This cause was submitted to the consideration of the court on the record and printed arguments by Mr Attorney General Williams and Mr Assistant Attorney General Jayne of counsel for the appellants, and by Mr T. J.

Durant and Mr C. N. O'Connor for the appellees under the 20. rule.

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382. The United States vs Appellants / William Saunders | This cause was submitted to the consideration of the Court on the record and printed arguments by Mr Attorney General Williams and Mr Assistant Attorney General Goforth of counsel for the appellants, and by Mr J. M. Dinner for the appellee under the 20th rule.

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522. Charles McGrath Exr &c. vs Pltff in Error / Charles S. Coleman. | This cause was submitted to the consideration of the Court on the record and printed arguments by Mr Henry J. Horn, and Mr G. E. Cole of counsel for the plaintiff in Error and by Mr E. C. Palmer for the defendant in error, under the 20. rule.

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36. Dennis G. Littlefield et al. vs. John S. Perry. trustee &c. Appellants.

The argument of this Cause was continued by Mr E. H. Stoughton of counsel for the appellee, and concluded by Mr E. R. Hoar for the appellants.-

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Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday December 15, 1874.

Pursuant to adjournment the Court met to day at the Capitol.

Present:

The Honorable Morrison R. Waite, Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.

} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon A. R. Cotton it is ordered that William H. H. Hart Esquire of De Witt State of Iowa be admitted to practice as an attorney & counsellor of this Court who was sworn accordingly.

On motion first made to the Court in this behalf by Mr Philip Phillips it is ordered that George Crane Esquire of Dubuque State of Iowa be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

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Samuel Dolton
766. 2d. Appellant
Levi B. Nelson
Thomas A. Graham
& Thomas A. Graham
adm's of Henry A.
Pendegrest, deceased.

Mr J. D. Lincoln of Counsel for the appellees having filed and read in open Court the following

Certificate to wit:
"In the United States Circuit Court, District of Iowa.

Samuel Dolton
against Complainant
Levi B. Nelson, Thomas A. Graham & Thomas A. Graham admr of the estate of Henry A. Pendegrest deceased

In Equity

I George B. Corkhill Clerk of said United States Circuit Court for said District do hereby certify that on the Eleventh day of November A.D. 1872, the said Court rendered a decree in the above entitled cause dismissing Complainants bill of complaint and granting the prayer of the defendants Cross bill. That thereupon on the day of January A.D. 1873, the said Complainant filed a bill for a rehearing which said bill for a rehearing was denied. Thereupon on the 20th day of May 1874, at the May Term of said Court, the said Complainant prayed an appeal from the decree of said Court which was allowed on giving bond &c. That the said Complainant did on the 9th day of November A.D 1874, file in the Clerks Office of said Court his appeal bond in said cause which

said bond was approved by the Hon James M. Love United States District Judge for said District of Iowa.

In testimony whereof I have subscribed my name and affix the seal of said Court at my office in Des Moines Seal Dist in said District this 11th day of December A.D. 1874

Geo. B. Corkhill
Clerk U.S.C.C.
Dist of Iowa.

And having stated that the appellant had altogether failed to file the record of said cause in this Court or in any way to prosecute said appeal, now here moved the Court in pursuance of the 9th rule of this Court to have this appeal docketed and dismissed - On consideration whereof, it is now here ordered adjudged and decreed by this Court that this

appeal from the Circuit Court of the United States for the District of Iowa be, and the same is hereby dockered & dismissed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice the said appeal notwithstanding.

per Mr Chief Jus. Waite

1191. The Union Pacific Railroad Company Appellant vs E. & M. McShane, Treasurer &c.

and

1192. E. & M. McShane Treasurer &c, Appellant vs The Union Pacific Railroad Company.

The argument of these cases was commenced by Mr A. J. Poppleton of counsel for the Railroad Company, continued by Mr Clinton Briggs and Mr J. C. Cowen of counsel for McShane

et al., and concluded by Mr Poppleton for the Railroad Company.

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604. Horatio N. Hunnewell vs. The County of Cass et al. Appellant | (assigned) The argument of this cause was commenced by Mr J. M. Woolworth of Counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday December 16, 1874.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.
} Associate Justices.

John G. Nicolay Esquire Marshal
Daniel Wiley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon Jno. F. Edmunds it is ordered that Edward F. Noyes Esquire of Cincinnati State of Ohio be admitted to practice as an attorney and Counsellor of this Court and he

was sworn accordingly.

On motion first made to the Court in this behalf by Hon J. S. Black, it is ordered that Hon Reuben Clymer of Reading, and William L. Livingood Esquire of Philadelphia State of Pennsylvania be admitted to practice as attorneys and counsellors of this court and they were sworn accordingly.

On motion first made to the Court in this behalf by Hon Robert S. Hale, it is ordered that William J. Opdyke Esquire of New York City, and F. N. Tobey Esquire of Port Henry Essex County, State of New York be admitted to practice as attorneys and Counsellors of this Court & they were sworn accordingly.

Wednesday December 16. 1874. Continued.

604. Hamlin H. Hunnewell vs. The County of Cass et al, Appellant | (Assigned) The argument of this cause was continued by Mr J. M. Woolworth of counsel for the appellant, by Mr Clinton Briggs of counsel for the appellees, and concluded by Mr Woolworth for the appellant.

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17. The First National Bank of Clarion vs. Sliff, in Error. Joseph B. Jones assignee. | (assigned) The argument of this cause was commenced by Mr J. S Black of counsel for the plaintiff in error & continued by Mr Geo Shiras Jr, of counsel for the defendant in error, & by Mr Black for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday December 17, 1874.

Pursuant to adjournment the Court met this day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice,

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay Esquire Marshal.
Daniel Mosely Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. J. S. Black it is ordered that William S. Price and Michael Arnold Esquires of Philadelphia State of Pennsylvania be admitted to practice as attorneys & Counsellors of this Court & they were sworn accordingly.

Guadalupe Thompson, admx of Alfred Bent, dcsd, Geo Thompson her husband, and Geo. Bayles, guar. ad litem of Chas Bent, Alberto Silas Bent, & Juliana Bent.

767 vs. Appellants.

The Maxwell Land Grant and Railway Company, Lucien B. Maxwell and Luz B. Maxwell his wife.

Mr S. B. Elkins of Counsel for the appellees having filed, and read in open court the following certificate, to wit:

"In the Supreme Court of the Territory of New Mexico

I, R. J. Palen clerk of the Supreme Court of said Territory do hereby certify that in a certain cause in said Court wherein Guadalupe Thompson admx of the estate of Alfred Bent deceased George Thompson her husband and George Bayles guardian ad litem of Charles Bent, Alberto Silas Bent, and Juliana Bent,

were appellants, and the Maxwell Land Grant and Railway Company Lucien B. Maxwell and Luz B. Maxwell his wife were appellees, said Court rendered a decree against said appellants in favor of said appellees, on the 31st day of January A.D. 1874. That thereafter to wit on the same day (31st January 1874) the said appellants obtained an appeal to remove the cause to the Supreme Court of the United States, and the appeal bond was approved and filed, on the 6th day of March A.D. 1874.

In testimony whereof I have hereunto set my hand and affixed the seal of said Court at Santa Fe N. M. this 5th day of December A.D. 1874.

(Seal)

R. J. Palen
Clerk."

and having stated that the ap-

plaintiffs had already thereafter failed to file the record of said cause in this Court, or in any way to prosecute said appeal. Now here moved the Court in pursuance of the 9th Rule of this Court to have this appeal docketed & dismissed. On consideration whereof it is now here ordered adjudged and decreed by this Court that this appeal from the Supreme Court of the Territory of New Mexico, be, and the same is hereby docketed and dismissed with Costs. And that this Cause be, and the same is hereby remanded to the said Supreme Court to be proceeded in according to law and justice the said appeal notwithstanding.

per Mr Chf Jus. Waite.

Cornelius Cadle jr. &c &c. vs. This
13. & S. Pfff in Error Cause
George Baker & Company was
sub-

mitted to the consideration of the Court on the record and printed argument by Mr P. Phillips of Counsel for the plaintiff in error. No Counsel for the defendant in error.

The First National Bank of Marion
17. vs Plff. in Error.
J. B. Jones, assignee &c.

The argument of this cause was concluded by Mr J. S. Black of counsel for the plaintiff in error.

Luther C. Clark,
566. vs Plff in Error,
The City of Iowa City

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr James Grant of Counsel for the plaintiff in error and by Mr L. B. Pattison for the defendant in error, under the 20th Rule.

Jas. R. Clark Jr. assignee &c.	The argument of these cases was commenced by Mr James Emott of counsel for Clark, the assignee et al., continued by Mr H. W. Clark and Mr S. P. Nash of counsel for Iselin, and concluded by Mr Emott, for the assignee et al.-
1102 vs. Appellants	
Adrian & Isaac Iselin-	
and	
Adrian & Isaac Iselin-	
1103 vs Appellants	
Jas. R. Clark Jr. assignee &c.	

David D. Ross, admr, &c.	This cause was submitted to the consideration of the Court on the record & printed arguments by Mr Sol F. Clark and Mr Samuel W. Williams of counsel for the plaintiff in error, and by Mr A. H. Garland for the defendant in error.) -
1104 vs. Plff. in Error.	
Jones Brown & Co. -	

The United States Express Company.	This cause was argued by Mr J. M. Wilson the
115. vs. Piff. in error.	of counsel for
J. A. Ware.	the plaintiff

in error, and by Mr Clinton Briggs for the defendant in error.

Luman Jennison et al.	This cause
1116. vs. Piffs. in Error.	was sub-
E. H. Leonard Ecor &c.	mitted to

the consideration of the Court on the record and printed arguments by Mr M. J. Smiley and Mr D. D. Hughes of Counsel for the plaintiffs in error, and by Mr L. D. Norris for the defendant in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday December 18, 1874.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Philip Phillips it is ordered that J. Harper Esquire of Danville State of Illinois, be admitted to practice as an attorney and counsellor of this court & he was sworn accordingly.

107.	Ira G. French vs Pff. in Error. Thomas Edwards et al.	The argument of this cause was commenced by

Mr S. O. Houghton of counsel for the Plaintiff in error, continued by Mr J. H. McKune of counsel for the defendants in Error, and concluded by Mr Houghton for the Plaintiff in error.

768.	The Seconac Manufacturing Company. - vs. Appellant. Thomas J. H. Robertson -	Mr E. L. Stanton of counsel for the appellee

having filed and read in open court the following certificate to wit:

United States of America
Southern District of New York ss:

I, Kenneth G. White Clerk of the Circuit Court of the United States of America for the Southern District of New York, in the

Second Circuit do hereby certify that an appeal to the Supreme Court of the United States was duly sued out in said Circuit Court by the defendant, in the case of Thomas J. M. Robertson vs The Seconee Manufacturing Company, on the 18th day of May 1874; and a citation was allowed by the Honorable Samuel Blatchford on the 16th day of May 1874.

In testimony whereof, I have hereunto subscribed my name and affixed the seal of said Circuit Court this 6th day of December in the Year of our Lord, One thousand Eight hundred and seventy-four, and of the Independence of the United States the ninety-ninth

Seal

Kenneth G. White
Clerk

and having stated that the appellant had altogether failed to file the record of said cause in this Court, or in anyway to prosecute said appeal now here moved the Court in pursuance of the 9th Rule of this Court to have this appeal docketed and dismissed - On consideration whereof, it is now here ordered adjudged and decreed by this Court, that this appeal from the Circuit Court of the United States for the Southern District of New York be, and the same is hereby docketed and dismissed with costs - And that this cause be, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice the said appeal notwithstanding.

per Mr Chief Jus Waite

Elisha Passe 109 vs. Plff in Error The City of Brunswick.	This cause was argued by Mr James R. Cox of counsel for

the plaintiff in error. The Court declined to hear further argument in the case.

Ophelia G. Burbank widow &c. – 110. vs. Appellant. E. B. Bigelow et al.	Ordered by the Court that this cause be, and the same is hereby passed

for the present

Isaac M. Mallory et al. 111. vs. Appellants H. M. & G. T. Rafferty.	Ordered by the Court that this cause be

and the same is hereby passed for the present.

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112. Fayette H. Miller vs. Ths. Sloff in Error. George H. Rogers. | In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and on the authority of counsel for the plaintiff in error, it is now here ordered and adjudged by this court that the writ of error in this cause be, and the same is hereby dismissed with costs.

per Mr Chief Jus. Waite.

113. Amedee Delamore vs. Pltff. in Error. Louisa Lovell, administratrix of Joseph Lovell deceased | In Error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and on the motion of Mr R. H. Bradford of counsel for the plaintiff in error it is now here ordered and adjudged by this Court that the writ of Error in this cause be, and the same is hereby dismissed with costs.

per Mr Chief Jus. Waite.

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114. Peter F. Peters vs. The Schooner Dexter &c. | Appellant | This cause was submitted to the Consideration of the Court

on the record and printed argument by Mr R. F. Brent of counsel for the appellant and by Mr S. T. Wallis and Mr J. H. Thomas for the appellees.

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115. The Southern Express Co. vs. Aff'd in Error. Robert D. Cauldwell.

The argument of this cause was commenced by Mr J. S. R. Pond of Counsel for the defendant in error.

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724. Harvey Sandusky vs. Appellant The First National Bank of Indianapolis

Mr J. Harper filed motion for a writ of supersedeas in this cause.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday December 21st 1874.

Pursuant to adjournment the Court meets this day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.
} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr P. Phillips it is ordered that John Mitton Oliver Esquire of Chicago State of Illinois be admitted to practice as an attorney & counsellor of this Court & he was sworn accordingly.

On motion first made to the Court in this behalf by Mr J. D. McPherson it is ordered that Geo. H. Lucke Esquire of St Louis State of Missouri be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

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79. The County of Lee. vs. Henry Clews, and Theodore S. Fowler as Henry Clews & Co. | In Error to the District Court of the United States for the Middle District of Alabama.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Middle District of Alabama, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the

said District Court in this cause be, and the same is hereby affirmed with costs and interest, until paid at the same rate per annum that similar judgments bear in the Courts of the State of Alabama. And that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the Southern District of Alabama, sitting at Mobile.

per Mr Justice Hunt.

The County of Chambers 80 — 28. Plff in Error, Henry Clews & Theodore J. Fowler as Henry Clews & Co. | In Error to the District Court of the United States, for the Middle District of Alabama.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Middle District of Alabama

, and was argued by Counsel On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Alabama - And that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the Southern District of Alabama, sitting at Mobile.

per Mr Justice Hunt.

John S. Atkinson
Mary S. Atkinson &c
Harriet B Truett
45 vs. Appellants.
Peter Peterson, George Travis, W. H. Phelps, Wm Fay, M. Munroe, and William Callum.

Appeal from the Supreme Court of the Territory of Montana

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Montana, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this court that the decree of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

Per Mr Justice Field.

John M. Sweeney, and
Anton M. Holter.
No. 68 Plffs in Error,
Joseph A. Lomme.

In Error to the Supreme Court of the Territory of Montana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Montana, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this

Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.-

per Mr Justice Miller

535- The United States vs Williams S. Shreveburg | Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby reversed. And that this cause be, and the same is hereby remanded to the said Court of Claims with directions to dismiss the petition.

Dissenting, Mr Justs. Field. } per Mr Jus. Swayne.

Henry Michaels, and Nathan Levi. vs. Hoyt Post assignee in bankruptcy of Harlow E. Macary and Henry S. Macary.

Appeal from the Circuit Court of the United States for the Northern District of New York.

85

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York, and was argued by counsel On consideration whereof, it is now here ordered adjudged and decreed by this court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with Costs & interest until paid at the same rate per annum that similar decrees bear in the Courts of the State of New York.

per Mr Jus. Clifford.

653. George Jerome, and P. C. Canan appellants vs. Appellants. Thos. N. McCarter, Treas. | On consideration of the motion to increase the amount of the bond given on appeal, and to require additional sureties in this cause, and of the arguments of counsel thereupon had as well in support of, as against the same it is now here ordered by the Court that said motion be, and the same is hereby denied. per Mr Chief Jus. Waite.

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724. Harry Sandusky appellant vs. The 1st National Bank of Indianapolis | On consideration of the motion filed by Mr. J. Harper for a writ of Supersedeas in this cause, it is now here ordered by the Court that said motion be, and the same is hereby denied per Mr Chief Jus Waite.

The Chief Justice announced to the bar, that the Court would adjourn on Wednesday next to Thursday the 7th of January.

122 The United States Pltffs. vs. Elijah Ross Supnugh. | On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the District of South Carolina.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of South Carolina, and on the point or question on which the Judges of the said Circuit Court were opposed in opinion and which was certified to this Court for its opinion agreeably to the act of Congress in such case made and provided, and on the

motion of Mr Attorney General Williams of counsel for the plaintiffs, it is now here ordered and adjudged by this Court that this cause be, and the same is hereby dismissed. Whereupon it is now here ordered and adjudged by this Court that the record be certified to the said Circuit Court.

per Mr Chf Jus Waite.

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479. Frank J. Donovan & al. vs. The United States.

Pltff. in Error.

On motion of Mr Attorney General Williams it is ordered by the Court that this cause be advanced and assigned for argument on the last Monday in January next.

Monday December 21. 1874 Continued

406. The United States vs. Appellants, Samuel C. Williamson | This cause was submitted to the consideration of the Court on the record and printed arguments by Mr Attorney General Williams and Mr Assistant Attorney General Jofforth of counsel for the appellants and by Mr H.E. Paine for the appellee under the 21" rule.

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417. A. L. Robinson et al. vs. Thomas M. Elliott assignee &c. | This cause was submitted to the consideration of the court on the record and printed arguments by Mr Asa Sykhart and Mr A. L. Robinson of counsel for the appellants and by Mr W. E. Niblack for the appellee under the 20" rule.

George Treat et al.
721. vs. Piffs in Error.
Samuel Jemison.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr Nathaniel Bennett of counsel for the plaintiffs in error and by Mr W. M. Dole & Messrs Houghton and Reynolds for the defendant in error under the 20th rule.

James Morgan
732. vs. Appellant.
J. H. Campbell assignee.

This cause was submitted to the consideration of the Court on the Record and printed arguments by Mr J. A. Sleeper of counsel for the appellant & by Mr Adolph Moses for the appellee under the 20. rule.

R. C. Gardner
761. vs. Appellant
J. C. Brown ad-
ministrator &c.

This cause was submitted to the Consideration of the Court on the record and printed arguments by Mr Edward Baxter of Counsel for the appellant, and by Mr H Cooper for the appellee under the 20th Rule.

David Sarley et al.
474. vs. Appellants
The Pacific R.R. Co. &
Stanbine Maguire et al.

On motion of Mr M. O'Hair and Consent of parties it is ordered that this case take the place of No 167. and Vice Versa.

Jacob C. Mann,
and Robert H. Beatty.
772. vs. Pltff. in Error
Clifton D. Young, admr of John Buckley,
dec'd, Ruel Robinson, Peter Dean, & Dellis B. Ward.

Mr J. H. Ashton of counsel for the defendants in error, having filed and read in open court the following certificate to wit:

"United States of America
Territory of Washington } ss.
I Joseph H. Houghton
Clerk of the Supreme Court of
Washington Territory do hereby
certify, that at a regular term
of said court begun and held
at Olympia on the 13th day of
July A.D. 1874. Present The Honor-
able Orange Jacobs, Roger S.
Greene, and Joseph R. Lewis,
Esquires, in a cause between
Jacob C. Mann and Robert
H. Batty were plaintiffs in
error, and Clifton D. Young
administrator of the Estate
of John Buckley deceased,
Reed Robinson, Peter Dean,
and Dillis B. Ward were
defendants in error, which

cause was brought into said Supreme Court from the District Court of the 3rd Judicial District of said Territory the judgment of said District Court was by said Supreme Court affirmed on the 24th day of July A.D. 1874, that thereupon the said plaintiffs gave notice in open court of an appeal from the judgment of said Supreme Court to the Supreme Court of the United States, and afterwards to wit: on the 1st day of August A.D. 1874. the said Jacob H. Mann & Robert H. Beatty duly sued out their said appeal and the same was allowed, all of which appears from the records and files of said Supreme Court of the Territory.

In testimony whereof, I have hereunto set my hand, and the seal of said Supreme Court

at Olympia in said Territory
this 28 day of November A.D. 1874.

Joseph H. Houghton
Clerk.

and having stated that the plaintiffs in error had failed to get the said record filed in this Court or in anyway to prosecute said writ of error, now here moved the Court in pursuance of the Statute of this Court to have this writ of Error docketed and dismissed. On consideration whereof, it is now here ordered and adjudged by this Court that this writ of error to the Supreme Court of the Territory of Washington be, and the same is hereby docketed & dismissed with Costs. And that this cause be, and the same is hereby remanded to the said Supreme Court to be proceeded in according to law and justice the said writ of error notwithstanding.

per Mr Ch. Jus. Wade

128. The City of Memphis vs. Tallmadge E. Brown. Appellant | Appeal from the Circuit Court of the United States for the Western District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Tennessee, and on the stipulation of Counsel for the respective parties on file, it is now here ordered adjudged and decreed by this court that this appeal be, and the same is hereby dismissed with costs.

per Mr Chf Jus Waite.

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321 The City of Memphis vs. Tallmadge E. Brown. Appellant | Appeal from the Circuit Court of the United States for the Western

District of Tennessee

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Tennessee, and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby set aside by consent of parties: and pursuant to stipulation herein filed the following decree is entered: It is by the Court ordered and decreed that the levy upon and sale of one thousand shares of the stock of the Memphis Water Company under execution issued out of the Circuit Court of the United States for the District of West Tennessee

upon a decree in favor of Fillmadge S. Brown, and against the said City of Memphis as set forth in the bill in this cause, be, and the same is hereby set aside and held for naught, and the title to said shares is decreed to be reinvested, and remain in said City of Memphis, as fully and absolutely as though said levy and sale had never been made. And it is further decreed that the City of Memphis pay the costs of this suit, and also the costs in the several other suits and proceedings between these parties both in the Circuit and Supreme Courts taxed and to be taxed by the Clerks, and including costs in both menne and final process.

See Mr Chief Jus. Waite.

320 The City of Memphis vs. Appellant
J. E. Brown

Ordered by the Court that this cause be and the same is hereby continued to the next term. (per stipulation of counsel on file.)

115 The Southern Express Co. vs. Plff in Error.
Robert D. Caldwell

The argument of this cause was continued by Mr C. A. Seward of Counsel for the plaintiff in error, by Mr J. R. Bond for the defendant in error, and concluded by Mr Seward for the plaintiff in error.

	Isaac N. Mallory Maria Flagg, and William Lynn.	Appeal from the Circuit Court of the United States for the Northern District of Illinois.
111.	vs. Appellants	
	Harriet M. Rafferty, & Gilbert T. Rafferty,	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and the appellants having been three times solemnly called by the Marshal to come into Court and prosecute this appeal, and failing to appear - it is thereupon on motion of Mr J. M. Olin of counsel for the appellees, now here ordered adjudged and decreed by this Court that this cause be, and the same is hereby dismissed with costs.

Per Mr Chief Jus. Waite.

Proclamation being made the Court is adjourned until tomorrow at ten o'clock.

Tuesday December 22. 1874.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R Waite Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.
} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. Geo. S. Boutwell it is ordered that Hon Samuel Shellabarger of Springfield State of Ohio and Hon J. M. Wilson of Connersville State of Indiana be admitted to practice as attorneys & Counsellors

of this Court, and they were sworn accordingly.-

William C. Scott et al. assignees.
116 vs. } Plffs. in error.
John Kelly, late Sheriff.
and
Wm. C. Scott et al. assignees
117 vs. Plffs. in Error.
John Kelly, late Sheriff.

The argument of these cases was commenced by Mr Geo. H. Lemke of counsel for the plaintiffs in error,- The court declined to hear arguments of counsel for the defendants in error.-

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Chas M. & W. B. Tremaine
118 vs. } Appellants
Alonzo Hitchcock et al.
and
Alonzo Hitchcock et al.
119 vs. Appellants.
Chas M. & W. B. Tremaine.

These causes were argued by Mr H. H. Betts of counsel for Hitchcock et al., and by Mr B. E. Valentine for Tremaine.-

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120.	The First National Bank of Decatur vs. Plffs. in Error. The Home Savings Bank of St Louis Mo.	Ordered that this cause be passed until the 7th of January next.
121.	D. F. Watson assignee &c vs Plaintiff Isaac Taylor	This cause was submitted to the Court on the record & printed arguments by Mr E. J. Golden and Mr Geo. H. Gaibrie of counsel for the defendant No counsel for the plaintiffs.
123.	John D. Montgomery vs. Plff in Error. T. F. Merrill, Matilda Hardy, Thomas Bolton, S. Fridheim, J. Davies, Edward Hutchings et al.	A. Error to the Circuit Court of the United States for the District of California.

This cause came on to be heard

on the transcript of the record from the Circuit Court of the United States for the District of California, and the Plaintiff in Error having been three times solemnly called by the Marshal to come into Court and prosecute this writ of Error, and failing to appear - it is thereupon on motion of Mr S. C. Houghton of counsel for the defendants in error, now here ordered and adjudged by this Court that this cause be, and the same is hereby dismissed with costs.

per Mr Chf Jus. Waite.

1211 F. P. Pelham et al. vs. R. A. Merrill et al. | Appellants. | Ordered by the Court that this cause be, & the same is hereby passed until the 7th of January next.

Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Wednesday December 23. 1874.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R Waite Chief Justice.

Nathan Clifford
Noah H Swayne
Samuel F Miller
Stephen J Field
William Strong
Joseph P Bradley
Ward Hunt
} Associate Justices.

John G Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon John Scott it is ordered that Jas S Biery Esquire of Allentown State of Pennsylvania be admitted to practice as an attorney & counsellor of this court & he was sworn accordingly.

240.	Francis B Heilus vs. Pff. in Error, John K. Green.	In Error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and on the motion of Mr P. Phillips of counsel for the defendant in error, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo.

per Mr Chf Jus. Waite.

56.	F. B. Reeves vs Plff. in Error. John K. Green.	On motion of Mr. P. Phillips it is ordered that the Clerk have leave to issue the mandate in this cause

56.	Samuel V. Mays et al. vs. Plffs. in Error. Frederick a Fricton	On motion of Mr P. Phillips it is ordered that the Clerk have leave to issue the mandate in this cause.

99.	The Springfield Fire & Marine Ins Co. of Springfield Mass. vs Plff in Error Sidney H. Sea &c.	On motion of Mr P. Phillips it is ordered that the Clerk have leave to issue the Mandate in this cause.

72.	The Limmia Ins Co et al vs. Plffs. in Err. The St Bt Lady Pike &c.	On motion of Mr J. D. McPherson, Leave is hereby granted the Clerk to issue the mandate in this cause.

Proclamation being made the Court is adjourned until Thursday the 7th of January 1875. at 12 o'clock.

Thursday January 7th 1875.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R Waite Chief Justice
Nathan Clifford
Noah H Swayne
Samuel F Miller
David Davis
Stephen J Field
Joseph P Bradley
Ward Hunt
Associate Justices.

John G Nicolay Esquire Marshal
James Hosley Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr S Phillips it is ordered that James B Townsend Esquire of Philadelphia State of Pennsylvania be admitted to practice as an attorney & Counsellor of this Court and he was sworn accordingly.

52. The Equitable Safety Insurance Company vs. George Hearn, Appellant

Mr. R. M. Corwine filed motion for leave to issue the mandate in this cause.

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175. William A. Haygood vs. The United States, Appellant.

176. and W. L. & J. S. Stanchfield vs. The United States, Appellants.

Mr. J. H. Burtley moved the Court for a rehearing of these causes and filed reasons therefor. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

The Leavenworth Law. Lawr & Galveston R.R.Co	On motion of Mr P Phillips & Consent of Mr Lawrence
676 vs. Appellants. The United States	

it is ordered by the Court that this Cause be Re assigned for Argument on the last Tuesday the 23rd of February next.

Cornelius Cuttle Jr Receiver.	On motion of Mr Case Ordered that Case be
13. vs Plff in Error. George Baker & Company.	granted the plaintiff in error to file briefs in this cause.

Augustin J. Amblet	On motion of Mr Paschal Case granted the Clerk to
34. vs. Appellants	
Rainey M. Whipple et al.	

issue the mandate in this cause.

Thursday January 7th 1875. Continued,

214. J. A. Millard vs. Pff. in Error. H. L. Brigham et al.

Mr E. P. Bonner having suggested the death of J. A. Millard, the plaintiff in error in this cause moved the Court for leave to enter the appearance of James S. Ray, public administrator for of the said J. A. Millard deceased. On consideration whereof it is now here ordered by the Court that the said James S. Ray be, and he is hereby entered, as the party plaintiff in error in the place of J. A. Millard) thereto and as aforesaid in this cause with liberty to prosecute this writ of error.

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120. The First National Bank of Decatur vs. Pff. in Error The Home Savings Bank of St Louis Mo.

This cause was argued by Mr J. B Hanley of Counsel

for the plaintiff in error, and submitted on printed arguments by Mr F. H. Jones for the defendant in error.

J. P. Pumroy & al. vs. Appellants & R. Day.	Ordered by the Court that this cause be, and the same is hereby passed for the present.

1211

John Doe, lessee of Fallandigham & c. vs. Pl'ff in Error S. H. Chambers.	This cause was argued by Mr Henry Cooper of Counsel for the plaintiff in error, - No counsel appearing for the defendant in error.

125

N. B. Hill adm'r &c. vs. Cyrus P. Mendenhall	The cause was argued by Mr P Phillips

127

and submitted on printed arguments by Mr Nat Graham of counsel for the plaintiff in error, No counsel appearing for the defendant in error.

J. Cooke Longstreth assignee &c.
vs
Pltff in Error.
George Pennock Exr &c et al

This Cause was submitted to the

consideration of the Court on the Record and printed arguments by Mr J Cooke Longstreth the plaintiff in error, and by Mr J B Townsend of counsel for the defendant in error.

	Samuel R. Smith et al.	The argument of these cases was commenced by Mr J. H. Thomas of counsel for the Schooner Sunk Watson et al., and continued by Mr J. Scott Steele and Mr J. H. B. Latrobe for the Steamer "Sea Gull" &c. et al.
131	vs Appellants.	
	The Steamer "Sea Gull" &c.	
	and	
	The Steamer "Sea Gull" &c. et al	
132	vs Appellants	
	The Sch^r Sunk Watson et al	

Proclamation being made the Court adjourned until tomorrow at ten o'clock.

Friday January 8. 1875.

Pursuant to adjournment the Court met this day at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice

Nathan Clifford
Noah H Swayne
Samuel F. Miller
David Davis
Stephen J. Field
Joseph P. Bradley
Ward Hunt
} Associate Justices.

John G Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr S. M. Wilson it is ordered that W. J. Tilden Esquire of San Francisco State of California be admitted to practice as an attorney & counsellor of this court & he was sworn accordingly.

On motion first made to the Court in this behalf by Hon J. P. Stevenson it is ordered that S. Stanley Esquire of Columbus State of Indiana be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

On motion first made to the court in this behalf by Mr S. Phillips it is ordered that Samuel A. Duncan Esquire of New York City be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

The United States
1875 2d. Appellants.
Abel Harris sub-
stituted for Amand
Lemieux.

Mr S. C. Houghton of counsel for the appellee having filed & read in open court the following Certificate,

(to wit:)

"District Court of the United States,
District of California.
The United States.
vs. Appellant.
Abel Stearns, and
Emilio for Juan Bandini
Appellees.
} No. 213.

I, Edward B. Colleer Clerk of the District Court of the United States, for the District of California do hereby certify that in the above entitled cause on the 1st May 1862, an order of appeal was duly made and entered, and allowed, as appears by the record thereof, now on file, & remaining of record in my office.

In testimony whereof, I have hereunto set my hand, and affixed the seal of said Court this 13th day of December A.D. 1874.

Edw'd B. Colleer Clerk"

and having stated that the appellant had altogether failed to file the record of said cause in this court or in anyway to prosecute said appeal. Now thereupon the court in pursuance of the 9 rule of this court to have this appeal docketed and dismissed. In consideration whereof it is now here ordered by this court that this appeal from the District Court of the United States for the District of California be, and the same is hereby docketed and dismissed. And that this cause be, and the same is hereby remanded to the said District Court to be proceeded in according to law and justice the said appeal notwithstanding.

per Mr Ch Justice.

Friday January 8. 1875, Continued.

Samuel R. Smith et al. vs. The Steamer "Sea Gull" &c and The Steamer Sea Gull &c vs. The Schooner Sarah Watson &c, et al.

131. Appellants. 132. Appellants.

The argument of this cause was continued by Mr Isaiah Davis of counsel for the Schooner Sarah Watson.

Peter Monger vs. Thomas Shirley.

129. Appellant

This cause was argued by Mr H. Maynard of counsel for the appellant & submitted on printed arguments by Mr John Baxter of Counsel for the appellee.

F. Basey et al vs. Jno. Gallagher et al.

126. Appts.

This cause was argued by Mr M Blair of counsel for the appts & by Mr R. T. Merrick for the appellees.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday January 11. 1875.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.

} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

Lyman Jennison & Orrin Jennison. 106 U.S. Plffs. in Error
Edward H. Leonard Exor & Cornelia Leonard Exx of Reed B. Leonard dec'd, who was surviving partner of the Detroit Lumber Co.

In Error to the Circuit Court of the United States for the West ern District of Michigan

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Michigan.

Per Mr Justice Hunt.

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406 The United States Appellants, vs. Samuel C. Williamson | Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record

from the Court of Claims, and was argued by Counsel On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed.

per Mr Justice Hunt.

Andrew Hamilton, Francis Bessieux, & Nathaniel K. Griffin, as A. Hamilton & Co. vs. Pltffs in Error
Joseph R. Dillon

In Error to the Circuit Court of the United States for the Middle District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Middle District of Tennessee, and was argued by counsel. On con-

sideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Jus. Bradley.

Samuel McClellan & Charles C. Comstock,		Appeal from the Court of Claims.
11.	vs. Appellants	
The United States		

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by Counsel On consideration whereof, it is now here ordered & adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed.

per Mr Justice Bradley

James F. Dunne, Wil-
liam Mullaly and
John P. Covert
vs Appellants.
The Chicago Manu-
facturing Company.

Appeal
from the
Circuit
Court of
the United
States for
the North-
ern District of Illinois.

This cause came on to be heard
on the transcript of the record
from the Circuit Court of the
United States for the Northern
District of Illinois, and was ar-
gued by counsel. On consid-
eration whereof it is now here
ordered adjudged and decreed
by this Court that the decree of
the said Circuit Court in this
cause be, and the same is
hereby affirmed with Costs.

Per Mr Justice Bradley.

382. The United States, Appellants. vs. William Saunders. | Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims & was argued by Counsel On Consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby reversed. And that this cause be, and the same is hereby remanded to the said Court of Claims with directions to dismiss the claimants petition.

per Mr Justice Bradley.

William Mason
vs
Edmund H. Graham,
and H. House.

Appeal from the Circuit Court of the United States, for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed. Each party to pay their own costs in this court. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to enter a decree in favor of the complainants against the defendant, for two

thousand eight hundred and seventy seven dollars and forty five cents, with costs of suit in the Court below.

per Mr Justice Strong

The Franklin Fire Insurance Company. Pltffs in Error, vs. Jennie E. Coit. Defts in Error. } In Error to the Circuit Court of the United States for the District of Connecticut

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Connecticut, and was argued by counsel On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs & interest

until paid at the same rate per annum that similar judgments bear in the courts of the State of Connecticut

per Mr Justice Field.

Luther C. Clark
vs.
The City of Iowa City.

In Error to the Circuit Court of the United States for the District of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa and was argued by counsel On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be & the same is hereby affirmed with costs.

Dissenting per Mr Justice Field, Mr Jus Clifford.

98.	Thomas D. H. Yancey vs. Plff. in Error. William D. Lavender, Robert M. Anderson, John Ross & James J. Pace.	In Error to the Supreme Court of the State of Arkansas

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Arkansas, and was argued by counsel. On consideration whereof, it is now here ordered & adjudged by this Court that the judgment of the said Supreme Court in this cause be, & the same is hereby affirmed with costs.

per Mr Justice Davis.

11.	Thomas Murdock et al. vs Pltfs in Error, The Mayor & Aldermen of the City of Memphis. Def.	In Error to the Supreme Court of the State of Tennessee

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Tennessee and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Miller

(The Chief Justice took no part in the decision of this case.)

The Baltimore and Ohio Railroad Company.
27. vs. Piff. in Error.
The State of Maryland.

On consideration of the motion to dismiss this cause and of the arguments of counsel thereupon had, as well in support of, as against the same, it is now here ordered by the Court that said Motion be and the same is hereby denied.

per Mr Justice Miller.

Edward Matthews
118. vs. Piff in Error.
Nelson McLeod.

On consideration of the motion to dismiss this cause, and of the arguments of counsel thereupon had, as well in support of, as against the same it is now here ordered by the Court that said motion be, and the same is hereby denied.

per Mr Justice Miller.

Ira G. French.
10% vs. Pff in Error
Thomas Edwards, H. F.
Carothers, J. F. Carothers,
Samuel Oneely, Antonio
De Sobra, David Morse,
Samuel O'Ness, Leon-
ard Hoyt, Jefferson
Luke, W. W. Crouse,
L. N. Lincoln, Andrew
Carothers & R. Sherburn.

In Error to
the Circuit
Court of the
United States
for the Dis-
trict of
California.

This cause came on to be heard on
the transcript of the record from the
Circuit Court of the United States
for the District of California
and was argued by Counsel
On consideration whereof, it is
now here ordered and adjudged
by this Court that the judgment
of the said Circuit Court in this
cause be, and the same is here-
by reversed with costs. And that
this cause be, and the same is
hereby remanded to the said

Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr Justice Swayne.

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17 The First National Bank of Clarion. vs Pltff in Error. Joseph B Jones assignee of William Burns Bankrupt

In Error to the Circuit Court of the United States for the West. ern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Pennsylvania and was argued by counsel

On consideration whereof, it is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed,

with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Pennsylvania.-

per Mr Justice Clifford.

David D. Rose, as admr of John K. Bulls, deceased.
104. vs. Plff. in Error
Jones, Brown & Company

In Error to the Circuit Court of the United States for the Eastern District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by Counsel On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause

be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the courts of the State of Arkansas.

per Mr Justice Clifford.

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114. Peter F. Peters, Appellant, vs. The Schooner Dexter, Chas R. Leonard Claimant. In Error to the Circuit Court of the United States for the District of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be,

and the same is hereby affirmed with costs.

per Mr Justice Clifford.

	Cornelius Cadle Jr. as Receiver of the First National Bank of Selma.	In Error to the District Court of the United States for the Middle District of Alabama.
13.	vs. Pltf in Error. George Baker & Joseph L. Perkins as George Baker & Company.	

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Middle District of Alabama, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said District Court in this cause be, and the same is hereby re-

versed with costs. And that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the Southern District of Alabama sitting at Mobile, with directions to overrule the demurrer to the declaration, and for further proceedings to be had therein according to law and justice.

per Mr Chief Justice Waite

The United States Express Company vs. Pfff in Error J. A. Ware.

105. In Error to the Circuit Court of the United States for the District of Nebraska.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and was argued by counsel. On consideration

whereof it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs & interest, until paid at the same rate per annum that similar judgments bear in the courts of the State of Nebraska.

per Mr Chief Justice Waite.

1109	Elisha Basse vs. Plff. in Error The City of Brunswick.	In Error to the Supreme Court of the State of Texas. -

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Texas, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed for the want of jurisdiction.

per Mr Chief Jus. Waite.

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116. William C. Scott, and Augustus Nasse, assignees of John E. Shawhan bankrupt vs. Plffs. in Error, John Kelly, Sheriff of the City and County of New York. | In Error to the Supreme Court of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York being possessed of the record and proceedings upon a Mandatum from the Court of Appeals of the State of New York, and was argued by counsel. On consideration whereof it is now here ordered adjudged & decreed by this Court that the writ of Error in this cause be, and the same is hereby dismissed for the want of jurisdiction.

per Mr Chief Jus. Waite.

365.	The United States Appellants. vs. Andrew J. Gelb.	Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby reversed. And that this cause be, and the same is hereby remanded to the said Court of Claims for further proceedings to be had therein, in conformity with the opinion of this Court. per Mr Chf Jus. Waite.

721	George Treat and J. M. Dickerson vs. Plffs. in Error. Samuel Jennison.	In Error to the Circuit Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with Costs & interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of California.

per Mr Chief Jus. Waite.

761 R C Gardner vs John C Brown, admr of Richard M Vasser, dec'd. | Appeal from the Circuit Court of the United States for the Middle District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Middle District of Tennessee, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Chief Jus Waite

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762 The State of Florida Complainant Edw'd C Anderson Defdt. | Bill in Equity.

In this cause it is ordered;

1. That the order entered April 24. 1874, granting leave to R. H. Johnson et al., to make themselves parties defendant to this suit and file such pleadings as they should be advised were necessary.

The order made June 30, 1874, permitting the complainant to amend the original bill; and

The Order made Sept 30. 1874. permitting the defendants Boisseain and others to amend their Cross bill be, and the same are hereby rescinded at the costs of the moving parties respectively;

2. All pleadings and motions filed under or in consequence of such orders of leave are hereby stricken from the files.

3. The original Cross bill of Boisseain and others is dismissed at their costs, as against the

Jacksonville Pensacola and Mobile Railroad Company and The Florida Central Railroad Company, corporations created and organized under and by virtue of laws of the State of Florida.

4. The injunction granted on the 16th day of October 1874, restraining the complainant and its officers from the collection of certain contemplated taxes, as alleged in the petition of Robert Wacker, Receiver filed October 3d 1874, is continued in force until the final disposition of this cause, with leave however to the complainant to move at any time for a modification or vacation thereof.

5. The petition of the Rogers Locomotive Works, a corporation filed August 28, 1874, for an order upon the Receiver to sell certain Locomotives & their tenders

to pay an alleged debt due that corporation from the Tallahassee Railroad Company for the purchase of such locomotives &c., is denied, but such corporation has leave to move at any time for the payment of any amount that upon settlement of accounts may be found due from said Railroad Company by reason of the alleged contract in respect to said locomotives &c. out of any moneys that may be in the hands of the receiver in this cause over and beyond the amount required for the operation and maintenance of the line of railroad which came into his possession by virtue of his appointment made herein April 24. 1874.

per Mr Chief Jus Waite.

175. William A. Haycraft
vs
The United States.

and

176. W. L. & J. L. Lane et al.
vs
The United States

Appellants.

Appellees.

On consideration of the motion of Mr. J. H. Yantis for a rearrangement of these cases, and of the reasons filed by him in support of the same, it is now here ordered by the Court that said motion be, and the same is hereby denied.

Per Mr Chief Justice Waite.

Amendment to Rule 15.

3. When either party to a suit in the Circuit Courts of the United States shall desire to prosecute a writ of error, or appeal to the Supreme Court of the United States from any final judgment or decree rendered in said Circuit Court, and at the time of suing out such writ of error

or appeal, the other party to the suit shall be dead, and has no proper representative within the jurisdiction of the court which rendered such final judgment or decree, so that the suit cannot be revived in that court, but shall have a proper representative in some State or territory of the United States, the party desiring such writ of Error or appeal may procure the same, and may supersede or stay proceedings on such judgment or decree in the same manner as is now allowed by law in other cases, and shall thereupon proceed with such writ of Error or appeal, as in other cases. And within thirty days after the commencement of the Court to which such writ of Error or appeal is returnable, the plaintiff in

error or appellant shall make a suggestion to the Court, supported by affidavit that the said party was dead when the writ of Error or appeal was taken or sued out, and had no proper representative within the jurisdiction of the court, which rendered said judgment or decree, so that the writ could not be revived in that court, and that said party had a proper representative in some State or Territory of the United States and stating therein the name and character of such representative, and the State or Territory in which such representative resides; and upon such suggestion he may on motion obtain an order that unless such representative shall make himself a party within the first ten days of the ensuing term of the Court, the plaintiff

in error or appellant shall be entitled to open the record and on hearing have the judgment or decree reversed if the same be erroneous: Provided however that a proper citation reciting the substance of such order shall be served upon such representative either personally, or by being left at his residence at least sixty days before the beginning of the term of the Supreme Court then next ensuing; And provided also that in every such case, if the representative of the deceased party, does not appear by the tenth day of the term next succeeding said suggestion, and the measures above provided to compel the appearance of such representative have not been taken within the time as above required by the opposite party, the case shall abate.

And provided also that the said Representative may at any time before or after said suggestion come in, and be made a party to the suit, and thereupon the cause shall proceed & be heard and determined as in other cases.

The Union Insurance Company of New Orleans.
562 vs. Pltff in Error
Kennett et al Defts

The motion to dismiss this cause was submitted to the consideration of the Court on printed arguments by Mr S. Phillips in support of the same.-

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The State of Florida
3 sig Dfts. Complainant
E.C. Anderson Jr. et al.

On motion of Mr E.A. Dickerson Leave is granted him to file motion to withdraw consent of D.P. Holland &c.-

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Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday January 12. 1875.

Pursuant to adjournment the Court met to day at the Capitol

Present.

The Honorable Morrison R Waite Chief Justice.

Nathan Clifford
Noah H Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.

} Associate Justices.

John G. Nicolay Esquire Marshal.

Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr C F Peck, it is ordered that William H. King Esquire of Chicago, State of Illinois be admitted to practice as an attorney & counsellor of this Court, & he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Abraham Payne, it is ordered that John H. Steiness Esquire of Providence State of Rhode Island be admitted to practice as an attorney & counsellor of this court, and he was sworn accordingly -

On motion first made to the court in this behalf by Mr J. J. Noah, it is ordered that Thomas Bracken Esquire of New York City, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

Eighteen Barrels of High Wines 7 Barrels of High Wines, 262 Two Gallons of High Wines and other property.
413. vs. Plaintiff in Error
The United States.

In Error to the Circuit Court of the United States for the Northern District of New York.

Tuesday January 12. 1875. Continued.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York, and on the motion of Mr P. Phillips and consent of Mr Solicitor General Phillips, of counsel for the defendant in error, it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed And that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein, according to law and justice.

per Mr Chief Jus. Waite

George H. Bowen, Appellant.
vs
Nelson Chase.

Mr Charles Conover moved the Court to have this case advanced, to be argued

with No 312, or immediately after, which was opposed by Mr. Merritt & Sawyer of counsel for the appellant.

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52. The Equitable Safety Insurance Company, Appellant vs George Hearn.

On consideration of the motion of Mr R. M. Corwine it is now here ordered that leave be, and the same is hereby granted the Clerk to issue the Mandate in this cause.

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142 The United States. Apps. vs C. V. Woodruff et al.
143 Bessie Elyee Gunnell Ex' " " The United States
166 C. V. Woodruff & Co " " " " "
223 Julia A. Nuttle Ex' &c " " " " "

Mr R. M. Corwine of counsel having filed and read in open court a suggestion of a diminution of the record in these cases in the words and figures following, to wit:

"That material facts are not found, in, and by said record which appears and were found as facts in said Court; that is to say, that the Cotton which is the subject of the suit in said Court of Claims being seized in Wilkinson County in the State of Mississippi was within the territory held and claimed by the United States forces, and within the Union lines, on or about the fifteenth of March 1864, at the time of the contract of sale set forth in said record in this court on the 87" page thereof, where C. S. Lobdell the then owner, and C. V. Woodruff & Company the appellants and appellees in the several causes before named; and that the plantation upon which said Cotton was stored was then being carried on and furnished

with supplies by the Treasury agents of the United States under the rules and regulations prescribed by the Secretary of the Treasury for carrying on trade within the Union lines in insurrectionary states, of which Mississippi was then one; and also that certain Treasury permits were duly granted under said regulations by the Treasury Agents having due power and authority so to do, to divers persons to trade in the Counties of McKinson and Adams in said State, and also to said Woodruff & Company to take said cotton owned by them within said McKinson County in accordance with said regulations of the Treasury in that behalf."

By reason of which omissions and errors aforesaid the said Counsel now here moved the Court to award a writ of cer-

tiorari to be directed to the Judges of the Court of Claims, commanding them that searching the record and proceedings of said court in these cases they shall certify to this court under the seal of said Court of Claims what ever omissions and Errors shall be found: Whereupon this court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

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457 – Thomas Sherlock &al. vs Plffs. in Error, Charles Alling admr &al. The motion to dismiss this cause

was submitted to the consideration of the court on printed arguments by Mr V.B. Edwards in support of the same, and by Mr S.D. Lincoln in opposition thereto. Whereupon this court not being

now here sufficiently advised of and concerning what order to render in the premises took time to consider.

The Mutual Benefit Life Insurance Company of Newark New Jersey. 2145 vs. Piff. in Error. Susan H. Wolf.	In Error to the Supreme Court of the State of Ohio-

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Ohio, and on the consent of counsel and motion of Mr R. T. Merrick of counsel for the defendant in error, it is now here ordered and adjudged by this court that the judgment of the said Supreme Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court with directions to award

a venire facias denovo.

Per Mr Chief Jus Waite.

The Mutual Benefit Life Insurance Company of Newark N.J. Plff in Error vs. Susan H. Wolf.

On motion of Mr R.T. Merrick Cause is hereby granted the Clerk, to issue the mandate in this Cause.

Pigion Grymes Appellant vs. Geo. S. Reppliers & James Lanigan.

Mr E.L. Stanton of counsel for the appellees suggested the death of George S. Repplier one of the appellees in this cause and on his motion it is ordered that the case be passed until the proper representatives of said Repplier shall appear as parties.

245.

138.

411. C. S. Bekeman, and C. S. Bekeman as administrators of James C. Beckman dec'd &al. vs. Wyndham Robertson Exr of Francis Smith deceased.

Appeal from the Circuit Court of the United States for the Western District of Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Virginia, and on the motion of Mr H. H. Boyce of counsel for the appellants it is now here ordered adjudged and decreed by this court, that this appeal be, and the same is hereby dismissed with costs.

per Mr Chf Jus. Waite.

Tuesday January 12. 1875. Continued.

133. John B. Scholey vs Pl'ff in Error. Francis S. Reed. | The argument of this cause was commenced by Mr Theodore Bacon of counsel for the plaintiff in error. The court declined to hear arguments from the other side.

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134. The Rogers Locomotive and Machine Works. vs Appellants. Thomas E. Helm. | This cause was argued by Mr S. Phillips of counsel for the appellant, and by Mr R. M. Corwine for the appellee.

Proclamation being made the court is adjourned until 6. morrow at twelve o'clock.

Wednesday January 13. 1875.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R Waite Chief Justice.

Nathan Clifford
Noah H Swayne
Samuel F Miller
David Davis
Stephen J Field
William Strong
Joseph P Bradley
Ward Hunt.
} Associate Justices.

John G Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon J. H. Stevenson it is ordered that B. F. Buckner Esquire of Lexington, State of Kentucky be admitted to practice as an Attorney & Counsellor of this court and he was sworn accordingly.

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137. Geo. D. Snow & c vs Pff in Error. Geo. W. Chapman Exr

Mr J. B. Sunborn suggested the death of George D. Snow the plaintiff in error in this cause, and on his motion it is ordered that the case be continued to the next term.

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315. The United States vs. Appellant Andrew J. Gill.

On motion of Mr J. B. Sunborn, leave is hereby granted the Clerk to issue the mandate in this cause.

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142. The United States vs. Appellant C. V. Woodruff et al.

143. Bessie Elgee Gaussen vs. Appellant. The United States.

166. C. V. Woodruff & Co. and vs. Appellants. The United States.

On motion of Mr J. D. McPherson it is ordered by the Court that these cases be passed until No 223. is reached to be argued with the called case.

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139 Laurence Langdeau vs. Pltf. in Error, Amasa Hanes. | This cause was submitted to the consideration of the Court on the record and printed arguments by Mr W. B. Thompson of Counsel for the plaintiff in Error and by Mr W. E. Stillwell for the defendant in Error.

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378 The United States vs. Pltf in Error Hiram Reese et al. | On motion of Mr Solicitor General Phillips. One hour additional time allowed each side in the argument of this cause.

Wednesday January 13th 1875, continued.

378. The United States vs Plff in Error. Hiram Reed et al. (assigned)

The argument of this cause was commenced by Mr Solicitor General Phillips of counsel for the plaintiff in error, and continued by Mr B. F. Buckner and Mr H. Hardcastle for the defendants in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday January 14. 1875.

Pursuant to adjournment the Court met to-day at the Capitol

Present.

The Honorable Morrison R. Waite Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon Henry Stanbery it is ordered that John E. Welch Esquire of Cincinnati, State of Ohio be admitted to practice as an attorney & counsellor of this Court & he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. C. B. Curtis it is ordered that B. J. Reid Esquire of Erie State of Pennsylvania be admitted to practice as an attorney and counsellor of this court & he was sworn accordingly.

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116. William C. Scott et al assignees &c. vs. Plffs. in Error. John Kelly late sheriff &c. and

117. Wm. C. Scott et al. assignees &c. vs. Plffs. in Error. John Kelly late sheriff &c.

On motion of Mr Ingraham Freeman leave is hereby granted the Clerk, to issue the mandates in these cases.

378.	The United States vs. Plff in Error Hiram Reese et al.	(assigned) The argument of this cause was continued by Mr Henry Stanbery of Counsel for the defendants in error, and concluded by Mr Attorney General Williams of Counsel for the plaintiff in error.

1401.	Thomas St. John vs. Appellant The Erie Railway Co.	The argument of this cause was commenced by Mr D. B. Eaton of Counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday January 15, 1875.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.
} Associate Justices

John G. Mobley Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

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391. J. Sterling Morton et al. Pffs. in Error vs. J. T. Green et al. | On motion of Mr E. K. Hoar

It is ordered that this case be reassigned for argument on the 16th of February next.

140.	Thomas St John vs. The Erie Railway Co. Appellants	The argument of this cause was continued by Mr H. W. MacFarland of counsel for the appellee, and concluded by Mr D. B. Eaton for the appellant

141.	John Kiely & wife vs. John A. McClymonsal Appellants.	The argument of this cause was commenced by Mr S. T. Williams of counsel for the appellants, and continued by Mr S. M. Wilson of counsel for the appellees.

71.	The Steamboat Mollie Mosher &c. vs. The Home Insurance Company of New York. Appellant.	On motion of Mr T. O. Howe in behalf of Mr J. Em- mons Counsel of Mr J. V. Kaney Cause is hereby granted the Clerk Issue the mandate in this cause.

Reclamation being made the Court is adjourned until Monday next at three o'clock.

Monday January 18th 1875.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt

} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Millwinsk it is ordered that James Flynn Esquire of New York City be admitted to practice as an attorney & counsellor of this Court & he was sworn accordingly

On motion first made to the Court in this behalf by Hon M. C. Kerr, it is ordered that Samuel A. Huff Esquire of Indianapolis State of Indiana be admitted to practice as an attorney & counsellor of this Court, & he was sworn accordingly.

On motion first made to the Court in this behalf by Hon J. A. Garfield it is ordered that Isaac C. Parker Esquire of Saint Joseph State of Missouri be admitted to practice as an attorney & counsellor of this court, & he was sworn accordingly.

John Doe, lessee of F. Vallandt assignee of A. B. Montgomery a bankrupt.
125. vs Plff. in Error.
S. H. Childress.

In Error to the Circuit Court of the United States for the Middle District of Tennessee.

This cause came on to be heard on the transcript of the record from

the Circuit Court of the United States for the Middle District of Tennessee, and was argued by counsel. On consideration whereof it is now here ordered adjudged by this court that the judgment of the said Circuit Court, in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Hunt.

Chester A. Arthur Collector of the Port of New York, Plff in Error,
vs.
5491 Augusta Reichard use Wm E. Iselin.

In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was

argued by counsel On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo. per Mr Justice Bradley.

Charles M. Tremaine & William B. Tremaine.
118 vs Appellants.
Alonzo Hitchcock, George G. Saxe, & James H. Robertson.

and

Alonzo Hitchcock, Georg G. Saxe, & James H. Robertson.
119. vs. Appellants.
Charles M. Tremaine & Wm. B. Tremaine.

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel On consideration whereof it is now here ordered adjudged and decreed by this court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with interest until paid at the same rate per annum that similar decrees bear in the Courts of the State of New York.

Mr Justice Strong

W. Bassey, James McCabe, J. V. Stafford H. Harner, O. C. Warner, S. Clem, and J. Clem. vs. John Gallagher, James Hornbuckle, & Samuel Marshall.	Appeal from the Supreme Court of the Territory of Montana

156.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Montana, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this court that the decree of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Field.

486. George McClintock, Plff. in Error
vs.
The Iowa Railroad Contracting Company, Stockholders in Missouri, Iowa & Nebraska Railway

In Error to the Supreme Court of the State of Missouri.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Davis.

The Union Pacific Railroad Company.
491. vs. Appellant
Edwina C. McShane
Exec^x of Douglas Co^y Cal.
and
Edwina C. McShane,
Exec^x of Douglas Co^y Cal.
492. vs. Appellant
The Union Pacific R.R. Co.

Appeal from the Circuit Court of the United States for the District of Nebraska.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr Justice Miller.

129. Peter Monger vs. Appellant, Thomas Shirley. | Appeal from the Circuit Court of the United States for the Eastern District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Tennessee, and was argued by Counsel On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with Costs & interest until paid at the same rate per annum that similar decrees bear in the Courts of the State of Tennessee

per Mr Justice Swayne.

J. Coke Longstreth assignee in bankruptcy of Osborn Watson, and Joseph B. DeYoung, trading as Watson and DeYoung.
130. vs. Pltffs. in Error, } In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania.
George Jennock, Executor of Abraham L. Jennock deceased, and David Sellers surviving trustee of the Estate of Mary Lewis.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Swayne.

Samuel R. Smith et al. owners of the Schooner "Sarah Watson &c. —

131. vs. Appellants

The Steamer "Sea Gull" — The South Carolina Railroad Company, Charles Reeder et al. Claimants

and

The Steamer Sea Gull &c.

132. vs. Appellant,

The Schooner "Sarah Watson" Samuel R. Smith et al.

Appeal from the Circuit Court of the United States for the District of Maryland

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland & was argued by counsel On consideration whereof it is now here ordered adjudged & decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And

that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this court.

per Mr Justice Clifford.

	William A. Haycraft		Appeal from the Court of Claims.
175.	vs.	Appellant.	
	The United States		

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed.

per Mr Chief Jus Waite.

William L. Lane, John L. Lane minors by their guardian Merritt V. Lane, and Louisa L. Clark & her husband Joshua G. Clark, and Merritt V. Lane Executor of Edward M. Lane deceased.

176. vs. Appellants

The United States.

Appeal from the Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed.

per Mr Chief Justice Waite

The United States
1135 vs. Appellants
C. V. Woodruff & al.
Dixie Elyea Jamison Ed
143 vs. Appellant
The United States
C. V Woodruff & Co
166 vs. Appellant.
The United States
and
Julia A Null Ex
223 vs. Appellant
The United States.

(In consideration of the suggestion of diminution of the record and motion for a writ of certiorari in these cases, and of the argument of Counsel thereupon had, as well in support of, as against the same, it is now here ordered by the Court that said motion be, and the same is hereby denied.)

The Union Insurance
Company of New Orleans
562. vs. Riff in Error
Kinnard and Bell.

In Error to the Circuit Court of the United States for the District of La.

This cause came on to be heard on the transcript of the record

from the Circuit Court of the United States for the District of Louisiana and on the motion of Mr P. Phillips of counsel for the defendant in error, to dismiss the writ of error, which was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed for the want of jurisdiction.

per Mr Chief Jus Waite.

1157 Thomas Sherlock et al. vs. Pltffs. in Error. Chas. Ming Admr &c. | On consideration of the motion to dismiss this cause, and of the arguments of counsel thereupon had, as well in support of, as against the same, it is now here ordered by the Court that said motion be & the same is hereby denied. per Mr. Chf Jus. Waite.

Lucien B. Maxwell et al.	The death
150. vs Pltffs in Error.	of Andrew
Andrew Stewart.	Stewart
	the de-

fendant in error in this cause having been suggested at a prior term of this court, it is now on motion of Mr P. Phillips ordered that the appearance of Henriella Stewart guardian &c. and administratrix of said Andrew Stewart deceased be entered as the defendant in error in this cause with liberty to assign this writ of error.

The Union Insurance	On motion
Company of Louisiana.	of Mr P
562. vs Pltff in Error	Phillips
Kennett and Bell.	leave is
	hereby grant-

ed the Clerk to issue the mandate in this cause. -

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312 George W. Bowen vs Pfff in Error Nelson Chase.

On consideration of the motion to advance No 624 for argument with this cause, and of the arguments of counsel thereupon had, as well in support of, as against the same it is now here ordered that this cause be postponed until after the argument of No 624.

Amendment to Rule No 26.

7. If after a cause has been passed under circumstances which do not place it at the foot of the docket, the parties shall desire to have it heard they may file with the Clerk their joint request to that effect, and the cause shall thereby have be reinstated for call like cases after that under argument is next to be called at the end of the day the request is filed.

If the parties will not unite in such a request, either may move to take up the cause, and it shall then be assigned to such place upon the docket as the Court may direct.

No stipulation to pass a cause without placing it at the foot of the docket, will be recognized as binding upon the Court. A cause can only be so passed upon application made and leave granted in open court.

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516 | Nathan Greenawalt vs. Pltfs. in Error | Penelope Bond adm[x] &c. | The motion to dismiss this cause was submitted to the consideration of the Court on printed arguments by Wm K. F. Merrick in support of the same and by Messrs Pike & Johnson in opposition thereto.

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JME

James Peay
408. vs Plff in Error
The Commonwealth
of Kentucky.

The motion of Mr Albert Pike to advance this cause, was submitted to the consideration of the Court.

Luman Jamison &c al
106. vs Plffs in Error
R. H. Leonard Exr &c dc

On motion of Mr P. Phillips in behalf of Mr L. G. Norris, leave is hereby granted the Clerk to issue the mandate in this cause.

The Chicago & Alton
Railroad Company
572. vs. Plff in Error
Henry C. Wiswell.

The motion to dismiss this cause was submitted to the consideration of the Court on printed arguments by Mr John H. Ross in support of the same, and by Mr P. Phillips in opposition thereto. Whereupon this Court not being

now here sufficiently advised of. and concerning what order to render in the premises look time to consider.

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480. The United States of America vs. The Union Pacific Railroad Co et al - Appellants. | Mr P. Phillips in behalf of Mrs T. Bartlett suggested

a diminution of the record in this cause in the words & figures following to wit:

"That the said record fails and omits to set out and include the several motions to dismiss said cause, filed by the several defendants in the Circuit Court of the United States for the District of Connecticut from the judgment of which court, this appeal is made - certified copies of which motions marked A. B & C. are herewith filed; and further said record fails and omits to set forth the order and decree of the said Circuit

Court overruling the said motions a certified copy of which order or decree is herewith filed marked "D"

By reason of which omissions and errors aforesaid the said Counsel now here moved the Court to award a writ of certiorari to be directed to the Judges of the Circuit Court of the United States for the District of Connecticut commanding them that searching the Record & proceedings of said Court in this cause, they shall certify to this Court under the seal of the said Circuit Court whatever omissions and errors shall be found, which motion was argued by Mr Phillips in support of the same, with leave to Mr Ashton to reply at a future day.

1411 John Kiely and wife vs. John A. McClymonds et al. Appellants.

The argument of this cause was continued by Mr S. M. Wilson of counsel for the appellees and concluded by Mr J. T. Williams for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday January 19. 1875.

Pursuant to adjournment the Court meets this day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.

} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr J. H. Simonton it is ordered that Samuel E. Dimmick Esquire of Honesdale State of Pennsylvania be admitted to practice as an attorney & counsellor of this court & he was sworn accordingly.

1147. Gideon Putnam et al. vs. Charles E. Bill trustee &c. Appellants | On motion of Mr R. M Corwine it is ordered that this case be passed, not to be called before the 4th of February next.

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195. Nicholas P. Trist vs. Lenius M. Child. Appellant | Messrs Durant and Hornor of counsel for the appellant suggested the death of Nicholas P. Trist the appellant in this cause and moved the Court for leave to enter the appearance of John W. Burke testamentary Executor of the said Nicholas P. Trist deceased. On consideration whereof it is now here ordered by the Court that John W. Burke testamentary executor of the said Nicholas P. Trist deceased as aforesaid be entered as the party appellant

in this cause, with liberty to prosecute this appeal

518.	The Erie Railway Co. vs. Plff. in Error. The Commonwealth of Pennsylvania.	(Signed) The argument of this cause was commenced by Mr H. H.

MacFarland of counsel for the plaintiffs in error, continued by Mr Samuel C. Dimmick of counsel for the defendant in error and concluded by Mr MacFarland for the plaintiff in error.

1444.	Wade Hampton Sr et al. vs Plffs. in Error, John D. Rouse.	The argument of this cause

was commenced by Mr James Lowndes of Counsel for the plaintiffs in Error & continued by Mr P. Phillips for the defts in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday January 20. 1875.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice -

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.

} Associate Justices.

John G. Nicolay Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr J. J. Farnsworth it is ordered that Isaac G. Wilson Esquire of Chicago State of Illinois be admitted to practice as an attorney & counsellor of this court and he was sworn accordingly. -

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Wednesday January 20. 1875, continued.

1144. Wade Hampton S, dal. vs. Charles E. Pell trustee &c. | Pffs. in Error, Bill dismissed &c. | The argument of this cause was continued by Mr P. Phillips of counsel for the defendant in Error, and concluded by Mr N. W. Boyer for the plaintiff in Error.

1145. Andrew J. Byrne vs. Rush Burgess, Col lector of Internal Revenue | In Error to the Circuit Court of the United States for the Eastern District of Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia and it appearing to the Court that the plaintiff in error has failed to file his assignment of Errors, it is now here ordered and adjudged by this court that the

judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr Chief Justice Waite.

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146. William Smith vs. Nathan Nichols. Appellant

The argument of this cause was commenced by Mr Charles Mason of counsel for the appellant, and continued by Mr Benjamin Dean of counsel for the appellee.

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124. John P. Putnam et al vs. Ezekiel R. Day. Appellants.

Ordered by the Court that this cause be assigned for argument immediately after the argument of No 155.

149 Zach A. Morrow dal. vs. Pltffs. in Error. R. B. Hill et al

Ordered by the Court with the Consent of Counsel that this case be assigned for argument after No 135 is heard, and that No 124 take the place of No 149, and be heard after No. 148..

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday January 21. 1875.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller — Associate
David Davis — Justices
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the court in this behalf by Mr J. M. Blair it is ordered that A. Packard Esquire of Santa Barbara State of California be admitted to practice as an attorney & counsellor of this court & he was sworn accordingly.

On motion first made to the Court in this behalf by Mr H. C. Hutchins it is ordered that Samuel Dickson Esqure of Philadelphia State of Pennsylvania be admitted to practice as an attorney & counsellor of this court and he was sworn accordingly.

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198. The National Insurance Company of Wheeling West Va. vs. Piffer in Error. The Barnum & Van Amburgh Museum & Menagerie

In Error to the District Court of the United States for the District of West Virginia.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of West Virginia, and on the motion of Mr W. Blair of counsel for the plaintiff in Error, it is now here ordered and adjudged by this Court that the writ of Error

in this cause be, and the same is hereby dismissed with costs.

per Mr Chief Justice Waite.

Seward and Kip
38. vs. Appellants.
The Steamship Teutonia &c.

On motion of Mr Durand leave is hereby granted the Clerk to issue the mandate in this cause.

William Smith
146. Appellant
Nathan Nichols

The argument of this cause was continued by Mr George Gifford of counsel for the appellee & concluded by Mr C Mason for the appellant.

The National Bank of Commerce of Boston Mass
148. vs. Plff in Error
The Merchants National Bank of Memphis

On the application of Mr Dickson leave is hereby granted him to file a printed

brief in this cause on behalf of the plaintiff in error, and that the counsel for the defendant in error have thirty days in which to file a reply.

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148. The National Bank of Commerce of Boston Mass. vs Plff in Error, The Merchants National Bank of Memphis.

The argument of this cause was commenced by Mr A. C. Hutchins of counsel for the plaintiff in error, and continued by Mr W. G. Russell of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday January 22. 1875.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.

} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

The National Bank of Commerce of Boston Mass. vs. Piff in Error. The Merchants National Bank of Memphis

1148

The argument of this cause was continued by Mr W. G. Russell of counsel for the defendants in

error, and concluded by Mr H. N. Paine of counsel for the plaintiff in error.

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124. John P. Putnam et al. vs. Ezekiel R. Day. — Appeals

(assigned) The argument of this cause was commenced by Mr S. Burke of counsel for the appellants, and continued by Mr. M. C. Kerr of counsel for the appellee. (The Chief Justice having been of counsel did not sit during the argument of this cause.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday January 25, 1875

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R Waite Chief Justice

Nathan Clifford
Noah H Swayne
Samuel F Miller
David Davis
Stephen J Field
William Strong
Joseph P Bradley
Ward Hunt
} Associate Justices.

John G Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr R M Corwine it is ordered that D. Trew Wright Esquire of Cincinnati State of Ohio and Jerome F Manning Esquire of Worcester State of Massachusetts be admitted to practice as attorneys &

Counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Hon M C. Kerr it is ordered that James M. Bredin Esquire of Franklin State of Pennsylvania be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr J. D. McPherson it is ordered that Samuel V. Smith Esquire of San Francisco State of California be admitted to practice as an attorney and Counsellor of this Court, and he was sworn accordingly.

The Southern Express Company.	In Error to the Circuit Court of the United States for the West-
115. vs Pltf in Error.	
Robert A. Caldwell	

ern District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Western Tennessee, and was argued by Counsel. On consideration whereof it is now here ordered adjudged by this court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs and that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr Justice Strong.

Monday January 25, 1875. Continued.

Frederick Schluenberg
Adolph Boeckler, and
Louis Haspel, partners
as Schluenberg, Boeck
ler & Company.
1111 vs. Plffs. in Error.
Samuel Harriman.

In Error
to the
Circuit
Court
of the
United
States
for the
District of Minnesota.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Minnesota.

Per Mr. Justice Field.

Andrew Schow	In Error to
1111. vs. Pfff in Error	the Circuit
Samuel Harriman	Court of the
	United States

for the District of Minnesota.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota and was argued by counsel On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with Costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Minnesota.

per Mr Justice Field.

The First National Bank of Decatur Ills.
120. vs. Pff. in Error
The Home Savings Bank of St. Louis. Mo.

In Error to the Circuit Court of the United States for the Southern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest must be paid at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

per Mr Justice Davis.

Horatio N. Nunnewell	Appeal
604 vs Appellant.	from the
The County of Cass, The	Circuit
County of Otoe, The County	Court
of Saunders, The County of	of the
Lancaster, The County of Gage,	United
The County of Polk, the Coun-	States
ty of Butler, The County of	for the
Saline, The County of Seward,	District
The County of Fillmore, The	of Ne-
County of York, et al.	braska.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and was argued by Counsel. On consideration whereof it is now here ordered & adjudged & decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Miller.

140. Thomas St John vs The Erie Railway Co. | Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by Counsel. On consideration whereof it is now here ordered adjudged & decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs per Mr Jus. Swayne

Monday January 25, 1875. Continued-

133	John B. Scholey vs Pff. in Error Francis S. Key.	In Error to the Circuit Court of the United States for the Northern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Clifford.

William F. Drake 764 vs. Piff. in Error. The Chattanooga Savings Bank of Knoxville.	Mr Pinchback moved the Court to rescind & annul the order entered on the 11th of December last, docketing & dismissing this cause, and for leave to reinstate the same which was opposed by Mr S. F. Phillips. Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises will look time to consider.

John B. Kenney & Co. Plff. in Error, 318. vs. The Philadelphia & Reading R. R. Co.	On motion of Mr Attorney General Williams it

is ordered that this cause be advanced, and assigned for argument on the 15th of February.

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539 Joshua F. Bailey Coll'r &c. vs. Luther C. Clark. Plff. in Error.

On motion of Mr Attorney General Williams it is ordered that this cause be advanced and assigned for argument on the 15th of February.

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3 orig: The State of Florida vs. F. C. Anderson Jr. et al. Complainant.

On motion of Mr Dickerson leave is hereby granted to file motion & accompanying papers to revive & reinstate in full force and effect the order made by the Chief Justice, on the 16th of May last: which order was afterwards (viz: on the 27th of June last, suspended by order of the Chief Justice.

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124 John Shelps Pulmans &al. vs. Ezekiel R Day. — Appellants. | (Assigned) The argument of this cause

was continued by Mr M C Kerr of Counsel for the appellees & Concluded by Mr J. A. Garfield for the appellants. (The Chief Justice having been of counsel did not sit during the argument of this cause.

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174 Frank J Donovan, admr &c &al. vs. The United States. — Pff. in Error | (Assigned) The argument of this cause

was commenced by Mr Edward F Noyes of Counsel for the plaintiff in error, & continued by Mr Attorney General Williams for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at 12, o'clock.

Tuesday January 26. 1875.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice.
Nathan Clifford
Noah H. Swayne
Samuel F. Miller Associate
David Davis Justices.
Stephen J. Field
William Strong
Joseph P. Bradley

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon William Lawrence, it is ordered that Hon Stephen A. Cobb of Wyandotte State of Kansas be admitted to practice as an attorney & Counsellor of this court and he was sworn accordingly. —

Andrew J. Gill
152. vs. Appellant
The United States.

Mr J. J. Durant suggested the death of Andrew J. Gill the appellant in this cause, and on his motion it is ordered that the case be passed until the proper representatives are entered.

Frank J. Donovan admr &c. et al.
479. vs. Plffs. in Error
The United States

(Assigned.) The argument of this cause was concluded by Wm D. Shew Wright of counsel for the plaintiffs in error.

Warren Mitchell
4014 vs Appellant
The United States.

(Assigned) This cause was argued by Mr J. M. Harlan of counsel for the appellant, and by Mr Assistant

Attorney General Goforth and Mr Attorney General Williams for the appellee.

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150. Lucien B. Maxwell & al. vs. Pltffs in Error
Henrietta Stewart admrx

This cause was argued by Mr P.

Phillips of counsel for the defendant in error No counsel appearing for the plaintiffs in error.

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151. Edward Fox Exr &c. vs. Pltf in Error
Joseph H. Seal & al.

The argument of this cause was commenced by Mr J. H.

Kirker of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday January 27. 1875.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Associate Justices
John G. Nicolay Esquire Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr A.G. Riddle it is ordered that Hon Granville Barrere of Canton State of Illinois, Edward Theodore Bartlett Esquire of New York City, and John Guthrie Esquire of Topeka State of Kansas be admitted to

practice as attorneys & counsellors of this court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr D. F. Mallingly it is ordered that James Hickey Esquire of New York City be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

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151 | Edward Fox Exr. &c. vs. Plff in Error Joseph H. Seabrook. | Stipulation of counsel filed showing that

judgment in this case was entered in the Court below upon the verdict in favor of the defendants, and that it may be so considered by this Court in all regards as though such fact appeared in the record.

151.	Edward Fox Exor &c. vs Plff in Error. Joseph H. Seal et al.	The argument of this cause was continued by Mr J. M. Kirker of Counsel for the plaintiff in error, by Mr Hill Burgwin for the defendant in error & concluded by Mr Kirker for the plaintiff in error.

153.	Charles Weile vs. The United States. Appellant	Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, & the appellant having been three times solemnly called by the Marshal to come into court & prosecute this appeal and failing to appear. It is thereupon on motion of Mr Solicitor General Phillips of Coun-

sel for the appellee, now here ordered and adjudged by this Court, that this cause be, and the same is hereby dismissed.

per Mr Chief Jus. Waite.

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154 David Dows et al vs. Piffs. in Error, The Wisconsin Marine & Fire Insurance Co.

Ordered by the Court that this cause be, and the same is hereby passed for the present.

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155. Duff Green, and Benjamin E. Green vs. Piffs. in Error, Wm. Bayne and John English, use of Columbus Alexander.

On motion of Mr Pike leave is hereby granted him to withdraw his appearance for the plaintiffs in error in this cause.-

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153.	Duff Green & Benjamin E. Green vs. Plffs. in Error Wm. Bayne and John English use of Columbus Alexander.	In Error to the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and the plaintiffs in Error having been three times solemnly called by the Marshal to come into Court and prosecute this writ of Error and failing to appear, it is thereupon on the motion of Mr Crittenden of Counsel for the defendants in Error, now here ordered & adjudged by this court that this cause be, and the same is hereby dismissed with costs.

per Mr Chf Jus. Waite.

Wednesday January 27, 1875, Continued.

149	Zachariah A. Morrow et al. vs. Richard B. Hill.	Pffs. in Error.

This cause was submitted to the consideration of the Court on the Record and printed arguments by Mr J.C. Robinson, and Mr P. Phillips of Counsel for the plaintiffs in error, and by Mr William M. Merrick for the defendant in error.

156	Daniel Garrison vs. The Mayor &c of the City of New York.	Pff in Error.

The argument of this cause was commenced by Mr George T. Curtis of Counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at 11 o'clock.

Thursday January 28th 1875

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley.
Associate Justices

John G. Nicolay Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made by the Court in this behalf by Mr C. A. Seward it is ordered that Charles M. Da Costa Esquire of New York City, be admitted to practice as an attorney and counsellor of this Court & he was sworn accordingly.

Daniel Garrison
156. vs Pltff in Error
The Mayor &c of the
City of New York.

The argument of this cause was continued by Mr Aaron J. Vanderpoel of counsel for the defendant in error and concluded by Mr George F. Curtis of counsel for the plaintiff in Error.

Washington R. Vermilye & al.
157. vs. Pltfs. in Error
The Adams Express Co.

This cause was argued by Mr C. F. Seward of counsel for the appellee, and submitted on printed arguments by Mr J. E. Burrill of counsel for the appellants.

Matthew Ryan
158. vs. Appellant
The United States

This cause was committed to the consideration of the Court on the record and printed arguments by Mr J. J. Durant & Mr C. M. Hornor

of Counsel for the appellant and by Mr Attorney General Williams and Mr Solicitor General Phillips for the appellee.

The Cedar Rapids & Missouri River R.R.Co. et al. vs. Millon Courtright.	This cause was submitted to the consideration of the court on the

Record and printed arguments by Mr Isaac Cook, Mr E. M. Hubbard, & Mr James F. Wilson of Counsel for the plaintiffs in Error, & by Mr Platt Smith for the defendant in error.

The Chesapeake & Ohio Railroad Company vs. Saml S. Early & et al.	Ordered by the Court that this Cause be, and the same is hereby con

tinued until the next term. (per stipulation of counsel)

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday January 29. 1875.

Pursuant to adjournment the Court met today at the Capitol.

Present)

The Honorable Morrison R. Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller — Associate
David Davis — Justices.
Stephen J. Field
William Strong
Joseph P. Bradley

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by W. H. H. Wells, it is ordered that L. H. Chandler Esquire of Richmond State of Virginia be admitted to practice as an attorney and Counsellor of this Court, and he was sworn accordingly. –

On motion first made to the Court in this behalf by Mr J. H. Meredith it is ordered that John S. Wise Esquire of Richmond State of Virginia be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

The Chicago & Alton Railroad Company.	In Error to the Circuit Court of the United States for the Southern District of Illinois.
571 vs Plff in Error.	
Thomas P. Stacey.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois and on the stipulation of counsel, and motion of Mr P. Phillips, it is now here ordered and adjudged by this court that the writ of error in this cause be, and the same is hereby dismissed with costs. per Mr Chief Justice Waite

The Narragansett Steam-Ship Company, claimant Steamer "Bristol"
160. vs. Appellants
John Ponton et al.
and
The Narragansett Steam-Ship Company.
161. vs. Appellants.
John Ponton.

The argument of these cases was commenced by Mr James C. Carter of counsel for the appellants

continued by Mr W. Allen Butler of Counsel for the appellees, and concluded by Mr Carter for the appellants.

John D. Crosby Sheriff &c. admr &c.
162. vs. Appellants.
Matthew H. Buchanan late Sheriff & admr. &c.

The argument of this cause was commenced by Mr & Jno. W. Johnston of counsel

for the appts & continued by Mr A. G. Hall for the appellee.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday February 1. 1875.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller — Associate
David Davis — Justices
Stephen J. Field
William Strong
Joseph P. Bradley

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr James G. Payne it is ordered that James M. Varnum Esquire of New York City be admitted to practice as an attorney & counsellor of this Court & he was sworn accordingly.

On motion first made to the Court in this behalf by Mr T. J. Durant it is ordered that W. Alex Gordon Esquire of New Orleans State of Louisiana be admitted to practice as an attorney & Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon Jno N Johnson it is ordered that John A Campbell Esquire of Abingdon State of Virginia be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

The Rogers Locomotive and Machine Works.-		Appeal from the Circuit Court of the United
134 vs.	Appellants.	
Thomas E Hehn.-		

States for the Southern District of Mississippi.

This cause came on to be heard

on the transcript of the record from the Circuit Court of the United States for the Southern District of Mississippi, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Hunt.

James R. Clark jr. assignee of Henry E. Dibble, D. P. Bingley, & J. J. Krauss, bankrupts. Appellants vs Adrian Iselin & Isaac Iselin. and Adrian Iselin & Isaac Iselin vs. Appellants. James R. Clark Jr. assignee of Henry E. Dibble et al. — Appeal from the Circuit Court of the United States for the Southern District of New York.

102

103

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed, Costs to be paid by the assignee, and that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this court.

Dissenting: per Mr Justice Strong
Mr Jus. Hunt.
" " Clifford
" " Miller.

729. The Citizens Savings & Loan Association of Cleveland Ohio vs The City of Topeka.

In Error to the Circuit Court of the United States for the District of Kansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Miller.

Dissenting
Mr. Jus. Clifford
" " Hunt.

741. The Commercial & National Bank of Cleveland Ohio vs The City of Iola, in the County of Allen State of Kansas | In Error to the Circuit Court

of the United States for the District of Kansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas, and was argued by Counsel. On consideration whereof it is now here ordered & adjudged by this court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Jus Miller.

Dissenting
Mr Jus

146.	William Smith vs. Nathan Nichols	Appeal from the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Swayne.

Wade Hampton Sr.	In Error
Wade Hampton Jr.	to the Cir-
and J. M. Howell.	cuit Court
1111 vs Plffs. in Error	of the Unit-
John D. Rouse. -	ed States
	for the

Southern District of Mississippi

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Mississippi, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to award a venire facias denovo.

per Mr Justice Clifford.

Zachariah A Morrow & Justus Buckley, administrators of French N. Hazle deceased.-

149 vs Pffs in Error

Richard S. Hill, & William C. Rainey.

In Error to the Supreme Court of the State of Illinois.-

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court for further proceedings to be had therein in conformity to law and justice

Dissenting Mr Jus. Clifford

Per Mr Chief Jus. Waite

Lucien B. Maxwell, James L. Johnson, D. B. Koch, & J. Hop. Kins & Alexander Valle 150 vs. Pltffs in Error. Henrietta Stewart guar dian &c, & administratrix of Andrew Stewart decd	In Error to the Supreme Court of the Territory of New Mexico.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, and was argued by Counsel On consideration whereof it is now here ordered & adjudged by this court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with cost and interest until paid at the same rate per annum that similar judgments bear in the Courts of the Territory of New Mexico.

Per Mr Chief Jus. Waite.

188.	Matthew Ryan vs. The United States.	Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr Chief Jus. Waite.

572.	The Chicago & Alton Railroad Company vs. Henry C. Wiswell.	In Error to the Circuit Court of the United States for the Southern District of Illinois.

This cause came on to be heard on the transcript of the record

from the Circuit Court of the United States for the Southern District of Illinois, and on the motion of Mr Ross to dismiss this writ of error which was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the writ of Error in this cause be, and the same is hereby dismissed with costs.

per Mr Chief Jus. Waite.

Nathan Greenwald &al. Pffs. in Error
516. vs.
Penelope Bond adm'x &c Defts.

On consideration of the motion to dismiss this cause, and of the arguments of counsel thereupon had as well in support of, as against the same it is now here ordered by the Court that said motion be, and the same is hereby overruled.

per Mr Chief Jus Waite.

James Peay
408. vs. Plff in Error
The Commonwealth
of Kentucky. —

On consideration of the motion to advance this cause, it is now here ordered by the Court that said motion be, and the same is hereby granted. "On examining the record however we find it presents much the same question as that just decided in the case of The Chicago & Alton Railroad Company vs Henry C. Worrell, and we will if either of the parties desire entertain a motion to dismiss.

William F. Drake
764. vs. Plff in Error
The Exchange & Deposit
Bank of Knoxville

Mr George H. Pschal of Counsel for the plaintiff in error having suggested to the Court that the plaintiff in error was prepared to file the record and have this cause docketed pursuant to the

Rules of this Court: moved the Court to rescind and annul the judgment of this Court entered on the 11th day of December 1874, docketing and dismissing this writ of error: On consideration whereof it is now here ordered by this Court that the judgment Entered on the 11th day of December docketing & dismissing this writ of Error be, and the same is hereby rescinded and annulled, and that the plaintiff in Error have leave to file his cause and have the same docketed in conformity to the rules of this Court upon payment of Costs. per Mr Chief Jus. Waite.

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218. The New Jersey Railroad and Transportation Co vs. Pltfs. in Error. Jerome B. Pollard & Sarah H. Pollard his wife.

Mr. A. A. Abbott of Counsel for the defendants in Error

having filed and read in open Court, a suggestion of a diminution of the record in this cause in the words and figures following to wit:

"The omission from the transcript of the record of the depositions of Sarah H. Pollard, and Reuben Ludlam, read at the trial of this cause, without objection, next after their other depositions included in said transcript."

By reason of which omissions and errors aforesaid the said counsel nowhere moved the Court to award a writ of certiorari, to be directed to the Judges of the Circuit Court of the United States for the District of New Jersey, commanding them that searching the record and proceedings of said Court in this cause they shall certify, to this Court under the seal of the said Circuit Court, whatever

omissions and errors shall be found. On consideration whereof it is now here ordered & adjudged by this Court that a writ of certiorari be, and the same is hereby awarded, to be issued forthwith & to be directed to the Judges of the Circuit Court of the United States for the District of New Jersey, Commanding them that searching the records and proceedings aforesaid they forthwith certify to this Court under the seal of the said Circuit Court whatever omissions and errors shall be found in this cause, and return the same with the said writ of certiorari forthwith to this Court.

Per Mr Chief Jus. Waite.

The Union Pacific R.R Co.
491. vs. Appellant
C. C McShane, Treasurer &c.

C. C McShane, Treas.r &c
492. vs. Appellant
The Union Pacific R.R Co
and
Horatio N. Hunnewell
604. vs Appellant.
The County of Cass et al

Mr Clinton Briggs moved the Court for an order granting leave for mandates to issue in these cases. Whereupon it is now here ordered by the Court that said motion be, and the same is hereby postponed until Monday next the 8th instant.

Guadalupe Thompson
admx &c. et al
767. vs. Appellants
The Maxwell Land
Grant & Railway Co et al.

Mr J. B. Stewart of counsel for the plaintiffs in Error

having suggested to the Court

that the plaintiffs in error were prepared to file the record & have this cause docketed pursuant to the rules of this court: moved the Court to rescind and annul the judgment of this court entered on the 17th day of December A.D. 1874 docketing and dismissing this appeal: On consideration whereof it is now here ordered by this Court that the order entered on the seventeenth day of December last docketing and dismissing this appeal be, and the same is hereby rescinded and annulled, and that the appellants have leave to file their cause and have the same docketed in conformity to the rules of this Court upon payment of costs.

per Mr. Chief Jus. Waite.

82.	Edward Dupasseur vs Albin Rochereau.	Piffin Error	The re-argument ordered by the Court

of this cause on points specified was submitted to the consideration of the Court on printed arguments by Mr A. C. Story of counsel for the plaintiff in error, and by Mr Edward Janin and Mr A. C. Janin for the defendant in error.

153.	Charles Weile vs. The United States.	Appellant	On motion of Mr C. E. Hovey, stating that on account of sickness he was not prepared to argue this cause when it was reached - it is ordered that the judgment of dismissal entered on the 2d. ultimo, be rescinded & annulled, and that the case be, & the same is hereby reinstated on the docket - And it is further

ordered that the cause be passed.

The United States 416. vs. Appellants. Samuel C. Williamson	On motion of Mr. H. E. Paine leave is hereby granted the Clerk to issue the Mandate in this cause.

The United States 480. vs Appellants The Union Pacific Railroad Co & al.	Mr. J. H. Ashton submitted to the consideration of the

Court, printed arguments in opposition to the motion for a writ of certiorari in this cause: Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider. -

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142. The United States vs Appellant
C. V. Woodruff et al.
and
Bessie Elgee Jansen Exx &c. —
143. vs Appellant
The United States

Ordered by the Court that the motion of Mr Durant to Substitute E. T. Parker public administrator &c for Bessie Elgee Jansen be assigned for argument on Monday next the 8th instant.

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510. Joshua F. Bailey Coll. &c. vs Plff in Error
Hank Work et al. —

On motion of Mr Attorney General Williams, it is ordered that this Case be advanced and assigned for argument on the 15th of February 1875.

Marshall B. Blake Collector &c.
553. vs Pltff in Error
The National City Bank of New York

Marshall B. Blake Collr &c
554 vs Pltff in Error
The Fourth National Bank

and

Marshall B. Blake Collr &c.
553. vs. Pltff in Error
The National Park Bank

On motion of Mr Attorney General Williams it is ordered that these cases be advanced & assigned for argument on the 22d day of March 1875.

Charles N. Slack Collr &c.
679. vs. Pltff in Error.
Wm H. Tucker et al.

On motion of Mr Attorney General Williams, it is ordered that this cause be, and the same is hereby advanced and assigned for argument on the 29th day of March 1875.

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527. Jay Cooke & Co. vs. Peffer Exrs The United States

On motion of Mr Attorney General Williams it is ordered that this cause be advanced and assigned for argument on the 24th day of March A.D. 1875.

162. John D Cosby sheriff &c. admr &c. Appellant vs. Mathew H. Buchanan late sheriff &c. admr &c.

The argument of this cause was continued by Mr St. H. Wells and Mr L. H. Chandler of counsel for the appellee, and by Mr John A. Meredith for the appellants.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday February 2nd 1875

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley

} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr A. H. Mills. It is ordered that W. Miller Esquire of Winchester State of Virginia be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

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330. Myra Clark Gaines vs. Plff in Error, Joseph Fuentes et al. | The motion to dismiss this cause was submitted to the consideration of the Court on printed arguments by Messrs Durant & Horner in support of the same and by Mr J. L. St. Fellows in opposition thereto: Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

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162. John D. Cosby Sheriff vs Appellant, Matthew St. Buchanan late Sheriff &c. | The argument of this cause was concluded by Mr John St. Meredith of counsel for the appellants.

Tuesday February 2. 1875. Continued.

Isaac Fretz & wife 164. vs. Appellants Ralph Stover Exr &c et al	The argument of this cause was commenced by Mr J. S Wise of counsel for the appellants, continued by Mr Willoughby of counsel for the appellee & concluded by Mr Wise for the appellant.

The American Life Insurance Company 166. vs Plff in Error. J. P & W. C. D. Mahone.	The argument of this cause was commenced by Mr Isaac Hazlehurst of counsel for the plaintiff in Error, and continued by Mr John D. McPherson for the defendant in Error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday February 3. 1873.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller — Associate
David Davis — Justices
Stephen J. Field
William Strong &
Joseph P. Bradley

John G. Nicolay Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Assistant Attorney General Hill it is ordered that Irvin Palmer Esquire of Detroit State of Michigan be admitted to practice as an attorney & counsellor of this Court, and he was sworn accordingly.

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165 The American Life Insurance Company. vs. Pltf in Error. (by J. F. & W. C. D. Mahone)

The argument of this cause was continued by Mr J. D. M. Pherson of counsel for the defendant in error, and concluded by Mr E. L. Stanton for the plaintiff in error.

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474 David Bailey etal. vs. The Pacific R. R. Co. etal

(Substituted for No 167.) The argument of this cause was commenced by Mr James Baker of counsel for the appellants.

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474 David Bailey etal. vs The Pacific Railroad Co. etal.

This cause coming on to be heard & upon opening the record, & appearing that the questions involved therein relate to the Right of the State

of Missouri and the County of St Louis to impose certain taxes upon the Pacific Railroad Company one of the defendants and neither said State nor said County being represented on the argument; it is ordered that the hearing be postponed to the 10th day of March next; and that the appellants immediately serve a copy of this order upon the Attorney General of Missouri, and the Chief Officer of the County of St Louis, in order that they make take such course in reference to the argument of this cause as they may be advised.

Henry J. Reedy, Appellant
vs.
George Scott.

This cause was submitted to the Consideration of the Court on the record and printed arguments by Mr

Wednesday February 3rd. 1875 Continued

G. E. Pugh of counsel for the appellant — No counsel appearing for the appellee.

1170 George Cutton Coll. &c. vs. Jeff in Error The California Insurance Company. —

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr Assistant Attorney General Hill of counsel for the plaintiff in error, and by M. Frank H. Farley and Mr H. J. Tilden for the defendant in error. —

George Cullen Coll'r &c.
169 vs Piff in Error.
The Savings & Loan Society
L. H. Cary Coll'r &c
171 vs. Piff in Error
The San Francisco Savings Union.
L. H Cary Coll'r &c.
172. vs Piff in Error
The Savings & Loan Society
and
L. H Cary Coll'r &c.
173 vs Piff in Error
The Firman Savings & Loan Society

These causes were argued by Mr Apt Att'y Genl Hill of Counsel for the plaintiffs in Error, and by Mr A. J. Tilden for the defendants in error.

The United States
177. vs Appellants.
Dominick O'Grady's Ex'rs.

(Substituted for No 174)
The argument of this cause was commenced by Mr Assistant Attorney General Hill of counsel for the appellants & continued by Mr P. Phillips of counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday February 4. 1875

Pursuant to adjournment the Court met to day at the Capitol

Present

The Honorable Morrison R Waite Chief Justice

Nathan Clifford
Noah H Swayne
Samuel F Miller
David Davis
Stephen J Field
William Strong
Joseph P Bradley
} Associate Justices.

John G Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr C M Hawley it is ordered that Murray A Carter Esquire of Salt Lake City Utah Territory be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr S. T. Wallis it is ordered that Richard Waite Esquire of Toledo State of Ohio be admitted to practice as an attorney and counsellor of this Court & he was sworn accordingly.

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174. Samuel Kepburn vs. Peffin Error. The School Directors of the Borough of Carlisle.

This cause was assigned by Mr Joseph Casey of counsel for the plaintiff in Error & by Mr Jno D. McPherson for the defts in error

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178. R. M. & J. H. Pleasants vs Peffin Error Hamilton G. Hunt.

The argument of this cause was commenced by Mr S. T. Wallis of counsel for the plffs in Error, & continued by Mr R. T. Merrick of counsel for the defendant in error & by Mr. Nesbitt for the plaintiff in Error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday February 5. 1875.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller — Associate
David Davis — Justices.
Stephen J. Field
William Strong
Joseph P. Bradley

John G. Nicolay Esquire Marshal.
Daniel Tilley Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Joseph Casey it is ordered that Theo. F. Blakeman Esquire of St Louis State of Missouri, and W. W. Stowe Esquire of San Francisco State of California be admitted to practice as attorneys and

Counsellors of this Court, and they were sworn accordingly.

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178. R. H. and J. H. Peasants vs. Plff's. in Error. Hamilton J. Hunt. | The argument of this cause was concluded by Mr J. Nevitt Steele of counsel for the plaintiffs in error.

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97. William Mason vs. Appellant E. H. Graham Esq. | On motion of Mr W. W. Boyce leave is hereby granted the Clerk to issue the mandate in this cause.

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179. The City of Sacramento vs Plff in Error. Paulina E. Fowle. | This cause was argued by Mr A. A. Sargent and submitted on printed arguments by Mr Delos Lake of counsel for the plaintiff in Error, and also submitted on printed argument

by Mr H. St. George Tucker for the defendant in error.

John M. Burkhusel
180- vs. Appellant
D. R. Fitzhugh assignee.

This cause was argued by Mr C. M. Hawley of counsel for the appellee, & submitted on printed arguments by Messrs Snow and Hoge for the appellant.

William B. Taylor
181 vs. Plff in Error.
S. B. Thomas, Sheriff &c.

The argument of this cause was commenced by Mr. H. St. George Tucker of counsel for the plaintiff in error & continued by Mr Geo. F. Edmunds for the defendant in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday February 8, 1875.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley &
Ward Hunt.

} Associate Justices

John G. Brooks Esquire Marshal.
Daniel Mesey Middleton Clerk.

Proclamation being made the Court is opened.

On motion leave made to the Court in this behalf, by Mr. C. P. Horner it is ordered that Francis Minor Esquire of St. Louis State of Missouri be admitted to practice as an attorney and Counsellor of this

On motion first made to the Court in this behalf by Mr P. Phillips it is ordered that James Buchanan Esquire of Indianapolis State of Indiana be admitted to practice as an attorney & Counsellor of this Court & he was sworn accordingly.

On motion first made to the Court in this behalf by Mr P. Phillips it is ordered that Seymour Spingarn Esquire of New York City State of New York be admitted to practice as an attorney and Counsellor of this court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Nathaniel Wilson it is ordered that A. C. Bradley Esquire of Washington City, District of Columbia, be admitted to practice as an attorney & counsellor of this court & he was sworn accordingly.

On motion first made to the court in this behalf by Hon S H. Kellogg it is ordered that Johnson T. Platt Esquire of New Haven State of Connecticut be admitted to practice as an attorney & counsellor of this court & he was sworn accordingly

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On motion first made to the court in this behalf by Mr H. H. Willoughby it is ordered that H. H. Wells Jr. Esquire of Washington City D. C. be admitted to practice as an attorney & counsellor of this court and he was sworn accordingly.

	The Cedar Rapids & Missouri River R. R. Co. and the Iowa P. R. R. Co.	In Error to the Supreme Court of the State of Iowa.
159	vs.	
	Plffs in Error, Milton Courtright	

This cause came on to be heard on the transcript of the record

from the Supreme Court of the State of Iowa and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

Andrew L. Robinson and Julia R. Sloan vs. Thomas McElliott assignee of J. P. Ludlow a Bankrupt.

Appeal from the Circuit Court of the United States for the District of Indiana

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit

Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Davis.

Warren Mitchell		Appeal from
414. vs Appellant		the Court
The United States.		of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed.

per Mr Jus Swayne.

Frank J. Donovan administrator of Daniel H. Donovan deceased Joseph C. Hill Samuel Hill & James S. Dougherty
1179 vs. The United States

In Error to the Circuit Court of the United States, for the Eastern District of Missouri

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by Counsel On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed.

Per Mr Justice Clifford.

Dennis G. Sellers et al		Appeal from the Circuit Court of the United States for the Northern District of New York
Ira Jagger		
36. vs.	Appellants	
John S. Perry trustee and Executor of Mary J. Perry deceased.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to take a new account of profits and for further pro-

cedings in conformity with the opinion of this Court.

per M. Chief Justice Taney.

The Narragansett Steamship Company, Owners of the Steamer Bristol her tackle &c

160 vs Appellants

John Fenton, John Tappy, Dan'l Doherty, Geo. M. Brennan, Geo. W. Lelland, John Simpson, John Giles, Charles White, Kempsmore & Jno Stone.

and

The Narragansett Steamship Company.

161 vs Appellant.

John Fenton, James E. Brell, Gustavus A. Brell, and William G. Brell.

Appeals from the Circuit Court of the United States for the Southern District of New York.

These causes came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of

New York, and were argued by Counsel. On consideration whereof the Court being equally divided in opinion on the question of the amount of damages, it is now here ordered adjudged and decreed by this Court that the decrees of the said Circuit Court in this cause be, and the same are hereby affirmed with costs.

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330. Myra Clark Gaines vs. Joseph Fuentes et al. In Error. On consideration of the motion to dismiss this cause and of the arguments of Counsel thereupon had as well in support of, as against the same, it is now here ordered by the Court that said motion be, and the same are hereby denied.

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480 The United States, Appellants vs The Union Pacific Railroad Co. et al.

On consideration of the suggestion of a diminution of the record in this cause & motion for certiorari; and of the arguments of counsel thereupon had as well in support of as against the same, it is now here ordered by the Court that a writ of certiorari be and the same is hereby awarded to be issued forthwith, and to be directed to the Judges of the Circuit Court of the United States for the District of Connecticut commanding them that searching the records & proceedings aforesaid, they forthwith certify to this court under the seal of the said Circuit Court whatever omissions and errors shall be found in this cause, & return the same with the said writ

of certiorari forthwith to this court.
per Mr Chief Jus. Waite.

The State of Florida
3 orig: vs. Complainant
C. C Anderson Jr. et al.

Ordered by the Court that the motion of Mr Dickerson, to revive and reinstate in full force & effect, the order made by the Chief Justice on the 6th of May last and afterwards suspended by the Chief Justice, be, and the same is hereby postponed for two weeks.

Marshall B. Blake Coll. &c.
553 vs Plff in Error
The National City Bank of N.Y.
Marshall B. Blake Coll. &c.
554 vs. Plff in Error
The 4th National Bank,
Marshall B. Blake Coll. &c.
555 vs Plff in Error.
The National Park Bank.

On motion of Mr Attorney General Williams, it is ordered that these cases be re-assigned for,

argument on the 15th of February;

The Union Pacific Railroad Company
491 vs Appellant
E. C. McShane Trustee
E. C. McShane Trustee &c.
492 vs. Appellant.
The Union Pacific Railroad Company
and
H. H. Hunnewell.
604 vs. Appellant
The County of Cascal.

Ordered by the Court that the motion of Mr Clinton Briggs for leave to issue mandates in these cases be postponed to Monday next the 15th instant.

James & Squire Williams
744 vs. Appellants.
The United States.

Ordered by the Court that the motion of Mr Attorney General Williams, to advance this cause, and for leave to submit the same to the consideration of the Court on printed arguments, be, and the same is hereby denied.

222. Hannah C Grandin admx vs The United States. — Appellant

Mr Thomas Wilson of counsel for the appellant having filed and read in open Court, a suggestion of a diminution of the record in this case in the words and figures following (to wit):

"The omission from the transcript of the record of the original petition, filed in said cause"

By reason of which omissions and errors aforesaid, the said Counsel now here moved the Court to award a writ of certiorari to be directed to the Judges of the Court of Claims, commanding them that searching the record and proceedings aforesaid they forthwith certify to this Court under the seal of the said Court of Claims whatever omissions and errors shall be found,

in this cause, and return the same with the said writ of Certiorari forthwith to this Court. By consent of Mr Assistant Attorney General Goforth, the issuing of the writ in this cause, is waived and a certified copy of said original petition filed.

The Chicago and Alton Railroad Company. vs. Henry C. Mizell. 5 J.P. Pike Co. Error

On motion of Mr J. N. Rose leave is hereby granted the Clerk to issue the mandate in this cause.

The State of Texas Compt. vs. John Chiles. Complainant

On motion of Mr T. J. Durant leave is hereby granted to file replication in this cause.

The State of Texas
Orig: Pl Complainant,
John Giles.

Ordered by the Court this Eighth day of Feb

ruary 1875, that James C. Clephane be, and he is hereby appointed Special Commissioner to take testimony in the above entitled cause in the District of Columbia: That due notice shall be given by said Commissioner of the time and place of taking said testimony; that the same shall be by oral Examination, reduced to writing by said Commissioner, & they returned to this Court, within thirty days from this date.

Wm B. Taylor
181. vs Plff in Error,
S. B. Thomas Sheriff &c.
Def. by Mr. P. Stanton

The argument of this cause was continued by Mr Geo. P. Edmunds & Mr G. M. Bradley of Counsel for the deft in Error, & for the plaintiff in Error.

Proclamation being made the Court is adjourned until tomorrow at 12 o'clock

Tuesday February 9. 1875.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt

} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

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181. William B. Taylor vs. Pfff in Error. / S. B. Thomas Sheriff &c.

The argument of this cause was concluded by Mr F. P. Stanton of Counsel for the plaintiff in Error.

Tuesday February 7. 1865, continued.

Virginia L. Minor & Francis her husband. 182. vs. Plff. in Error Reese Happersett.	This cause was argued by Mr Francis Minor of counsel for the plaintiff in error. No Counsel appearing for the defendant in error.

The Mutual Benefit Life Insurance Co. 183 vs. Plff in Error. Hallie Newton.	This cause was argued by Mr E. L. Stanton and Mr F. T. Fitzhugh son of counsel for the plaintiff in Error, and by Mr T. H. Blakeman for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday February 10. 1875.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf, by Mr P. Phillips it is ordered that John K. Tompkins Esquire of Mobile State of Alabama be admitted to practice as an attorney & counsellor of this Court & he was sworn accordingly.

On motion - first made to the Court in this behalf by Mr John A. Gra- ik is ordered that Wm. Hubbell Fisher of Cincinnati State of Ohio be admitted to practice as an at- torney and Counsellor of this Court & he was sworn accordingly.

John J. Livell and George T. Bigelow vs Plffs in Error. Stephen M. Jones. | In Error to the Circuit Court of the United States for the East- ern District of Missouri.

This cause came on to be heard, on the transcript of the record from the Circuit Court of the Uni- ted States for the Eastern District of Missouri, and on the motion of Mr James Baker of Counsel for the plaintiffs in Error, it is now here ordered and adjudged by this Court, that the writ of error in this cause be, and the same is

Hereby dismissed with costs.
per Mr Chief Jus. Waite.

James S. Frenchetal. vs. Appellants Miranda Hayward &c	Ordered by the Court that this Cause be,

and the same is hereby passed for the present.

Henry A Moore vs Plff in Error. The State of Mississippi	This cause was argued by Mr P. Phillips of counsel for the plaintiff in Error, and by Mr T. M Bardey and Mr Geo F. Edmunds for the defendant in error.

Wednesday February 10. 1875. Continued.

William Lewis 186. vs. Appellant Benj. F. Hawkins et al.	This cause was submitted to the consideration of the Court on the record and printed arguments by Wm H. H. Gorsuch of counsel for the appellant, and by Thos. Pitt & Johnson for the appellees.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday February 11. 1875.

Pursuant to adjournment, the Court met to day at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Hon. Montgomery Blair it is ordered that Charles C Whittlesey and Henry Allen Cunningham Esquires of St Louis State of Missouri be admitted to practice as attorneys and counsellors of this

Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr H. H. Wells, it is ordered that Isaac Marston Esquire of Bay City, State of Michigan be admitted to practice as an attorney and Counsellor of this court, and he was sworn accordingly.

187. Nicholas & Stephen vs. William L. Beall and Mary his wife. Appellant. | This cause was argued by Mr T. J. Critten den of Counsel for the appellant and by Mr R. T. Merrick for the appellees.

188. Elizabeth A. Lake vs. Frederick Fitzgerald. Appellant. | Ordered by the Court that this cause be

and the same is hereby continued to the next term. (per stipulation of counsel on file.)

189	Charles Connoyer et al vs Henry Schaeffer	Plffs in Error	This cause was argued by Mr Charles C. Whittlesey of counsel for the plaintiffs in error and submitted on printed arguments by Messrs Glover & Shepley for the defendant in error.

190	George Savinzet vs Robert H. Crumpton	Appellant	This cause was argued by Mr H. H. Wells of counsel for the appellant and by Mr S. F. Beach for the appellees.

The term having been made the Court is adjourned until tomorrow at twelve o'clock.

Friday February 12. 1875.

Pursuant to adjournment the Court met to day at the Capitol

Present

The Honorable Morrison R. Waite Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.

} Associate Justices.

John G. Nicolay Esquire Marshal
Daniel Tilley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Henry Sherman it is ordered that John F. Crosby Esquire of New York City be admitted to practice as an attorney & counsellor of this Court & he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. J. C. Howe it is ordered that Charles W. Felker Esquire of Oshkosh State of Wisconsin be admitted to practice as an attorney and counsellor of this Court. He was sworn accordingly.

On motion first made to the Court in this behalf by Mr Assistant Attorney General Hill, it is ordered that Edmund T. Allen Esquire of St Louis State of Missouri be admitted to practice as an attorney & counsellor of this court. He was sworn accordingly.

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191. James S. Frenah v. Alexander Kay. Appellant

This cause was argued by Mr F. P. Stanton of Counsel for the appellant and by Mr G. J. B. Stewart and Mr H. G. Riddle for the appellee.

Friday February 12. 1875. (Continued.)

R. R. Butler
192 vs. Pltff in Error
The United States.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr S. Shellabarger and Mr J. M. Wilson of counsel for the plaintiff in error, and by Mr Asst Atto Gen Hill for the defendant in Error.

Louis E. Amerinck et al
193. vs. Appellants.
William C. Bram.

The argument of this cause was commenced by Mr A. F. Smith of counsel for the appellants.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday February 15, 1875.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.
} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made the Court on this behalf by Mr W. H. Smith it is ordered that Hon David P. Lowe of Fort Scott State of Kansas be admitted to practice as an attorney & counsellor of this court & he was sworn accordingly.—

Monday February 15. 1875. Continued

On motion first made to the Court in this behalf by Mr Attorney General Williams. it is ordered that George R. Peck Esquire of Topeka State of Kansas be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr N. W. MacFarland it is ordered that H. H. Bingo Esquire of New York City be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr T. J. Coffey it is ordered that Thomas J. O'Brien Esquire of Grand Rapids State of Michigan be admitted to practice as an attorney & Counsellor of this Court & he was sworn accordingly.

On motion first made to the Court in this behalf by Hon J. W. Johnston it is ordered that William J. Purcell Esquire of Richmond State of Virginia be admitted to practice as an attorney & Counsellor of this Court and he was sworn accordingly.

The Erie Railway Co. vs. The Commonwealth of Pennsylvania. } Pff in Error

548. In Error to the Supreme Court of the State of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Pennsylvania, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Hunt.

Edward Dupuissant
82. vs. Pltff. in Error.
Albin Rochereau.

In Error to the Supreme Court of the State of Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by counsel On consideration whereof it is now here ordered and adjudged by this court, that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Bradley.

John Phelps Putnam
Herman Ely, & Herman
Ely admr &c., and
Stevenson Burke.
124. vs Appellants
Ezekiel P. Day.

Appeal from the Circuit Court of the United States for the District of Indiana.

This cause came on to be heard

on the transcript of the record from the Circuit Court of the United States in the District of Indiana, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to dismiss the bill

per Mr Justice Bradley.

The Chief Justice did not sit on the argument of this cause and took no part in the decision.

Monday January 15, 1875, Continued

John Kiely and Mary Kiely his wife, George Wilson & Ann Wilson his wife & Ellen Lynch.	Appeal from the Circuit Court of the United States for the District of California.
141. vs Appellants.	
John A. McClymonds et al.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and was argued by counsel. On consideration whereof it is now here ordered and adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr Justice Bradley.

Dissenting
Mr Jus. Clifford
" " Davis.

Edward Fox Exr of
Richard Fox deceased.
151 vs Pltff. in Error,
John H. Sears, William
Workman & H. C. Hughes,
Trustees of the Hempfield
R.R. Co., and The Westmg.
Pittsburg, and Balto R.R
Co., impleaded with
the Hempfield R.R. Co.

In Error
to the Circuit
Court of the
United States for the West-
ern District
of Pennsyl-
vania.

This cause came on to be heard
on the transcript of the record
from the Circuit Court of the
United States for the Western
District of Pennsylvania, &
was argued by Counsel. On con-
sideration whereof it is now here
ordered and adjudged by this Court
that the judgment of the said Cir-
cuit Court in this cause be, and the
same is hereby reversed with costs.
And that this cause be, and the
same is hereby remanded to the
said Circuit Court with direc-

tions to award a venire facias
denovo.

per Mr Justice Strong.

	The American Life Insurance Company	In Error to the Circuit Court of the United States for the Southern District of Mississippi.
165	vs	
	Pgff in Error	
	Zenora F & Wm C D Mahon	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Mississippi, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, & the same is hereby remanded to

the said Circuit Court with directions to award a venire facias de novo.

per Mr Justice Strong.

Florence Sengteau
139 vs Plff in Error
Amasa Kanes -

In Error to the Circuit Court of the United States for the Southern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois and was argued by Counsel - On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Field.

The City of Sacramento, Pltff in Error.
vs.
Paulina C. Fowle.

No. 179. Error to the Circuit Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and was argued by counsel On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with Costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of California.

per Mr Justice Davis.

Isaac Fretz, and Catharine his wife. 164 vs Appellees. Ruph Slover, Exr. of Charles Slover decd. Wm. E. Huxhall & Virginia his wife & James O. Chilton

Appearing to the Court that Isaac Fretz one of the appellants having depd. in this Cause during the pendency of this appeal in this court it is now here ordered that the death of Isaac Fretz, be suggested and that the cause abate as to him, and continue in the name of Catharine Fretz as surviving appellant.

Catharine Fretz Survivor of Isaac Fretz her husband deceased. 164 vs. Appellant Ruph Slover Exr. of Chas Slover decd, Wm. E. Huxhall & Virginia his wife vs James O. Chilton.

Appeal from the Circuit Court of the United States for the Eastern District of Virginia

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia, and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to enter a decree for Catharine Fraly, survivor of her husband, in conformity with the opinion of this Court.

per Mr Justice Davis.

John M. Burtiss		In Error to
180. vs	Appeal	the Supreme
Daniel R. Freeman.		Court of the
assignee of the Estate		Territory of
of J. R. Wright a bankrupt.		Utah.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this court that the decree of the said Supreme Court in this cause be, and the same is hereby affirmed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court with directions to enter a decree in conformity with the opinion of this Court.

per Mr. justice Swayne.

Monday February 15. 1875. Continued.

177. The United States vs. Appellants. Dominick O'Sandy's Executors. - | Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by Counsel On consideration whereof it is now here ordered adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed.

per Mr Justice Clifford,

1118. Henry J. Ready. - vs. Appellant George Scott. - | Appeal from the Circuit Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United

States for the Southern District of Ohio, and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Clifford.

1741 | Samuel Hepburn vs. Pltff in Error. The School Directors of the Borough of Carlisle in Pennsylvania | In Error to the Supreme Court of the State of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Pennsylvania and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court in this cause

be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Pennsylvania.

per Mr Chief Jus. Waite

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13 John B. Scholey vs. Peffer in Error. Francis S. Rew.

On motion of Mr Attorney General Mc-Cains, leave the Clerk is issue the Mandate in this cause is hereby granted

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539. Joshua F. Bailey Ass'e &c. vs. Peffer in Error Luther C. Clark et al.

and

5410. Joshua F. Bailey Ass'e &c. vs. Peffer in Error Bank Stock v. George Wood.

On motion of Mr Attorney General McCains, it is ordered that these causes be re assigned for argument on the 24th of March next.

Monday, February 15. 1875. Continued.

177	The United States. vs Dominick Spratt's Ex'r. Appellant	On motion of Mr P. Phillips, leave is hereby granted the Clerk to issue the Mandate in this cause.

1191	The Union Pacific R.R. Co. vs. E. & M. Shane Treas. &c. Appellant	On consideration of the motion of Mr Clinton Briggs it is now here ordered by the Court that leave be granted the Clerk to issue the mandates in these cases.
1193	E. & M. McShane Treas. &c. vs. The Union Pacific R.R. Co. Appellant	
1194	and Horatio N. Hunnewell vs. The County of Cass et al. Appellant	

505	William Smith vs. James M. Adsit et al Pff in Error	The motion to dismiss this cause was submit-

to the consideration of the Court on printed argument by Mr Thomas Wilson in support of the same, and by Mr H. S. Burgess in opposition thereto. Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises, took time to consider.

Samuel Hamacht vs. Michael Frank. | The motion to dismiss this cause was submitted to the consideration of the Court on the printed arguments by Messrs Durant and Horner in support of the same and by Mr Conway Robinson, in opposition thereto. Whereupon this Court not being now here sufficiently advised of, & concerning what order to render in the premises took time to consider

5614 Writ of Error.

William H. Bendelsal
586. vs. Plffs. in Error,
John M. Moore.

The motion to dismiss this cause was submitted to the consideration of the Court on printed arguments by Mr H. P. Stanton in support of the same and by Mr E. J. Reed in opposition thereto. Whereupon this Court not being now here sufficiently advised of & concerning what order to render in the premises took time to consider.

The State of Texas
Comp. vs Complainant,
John Chiles

The motion of Messrs Durant and Merrick for an order directing the Clerk to issue summons in this cause to John Chiles and such other witnesses as may be named, to appear before J. C. Clopton the special Commissioner appointed by this Court, was argued by them in support thereof, and by Mr

Pike in opposition thereto: Whereupon this Court not being now here sufficiently advised of & concerning what order to render in the premises took time to consider.

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7 Gill. | Benjamin R. Thomas et al. vs. Edmund Woolridge et al. | Appellants | Ordered by the Court that the motion of Mr Casey to dismiss this appeal be, set for hearing on the 3rd Monday of March next.

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5 Orig. | Rule In the matter of Charles Sawyer et al. | Petitioners | On motion of Mr John Lithrop it is ordered by the court that the petition for a peremptory mandamus in this cause be set for hearing on Wednesday next.

Deville R. Holt, Uri Balcom and Jane E. Balcom
vs. Pffs in Error
John Leigh

Mr. H. M. Finch of Counsel for the defendant in error, having filed and read in open court the following certificate to wit:

"Circuit Court of the United States for the Eastern District of Wisconsin.

John Leigh
vs.
Deville R. Holt, Uri Balcom & Jane E. Balcom
At Law.

United States of America
Eastern District of Wisconsin } ss.

I, Edward Kurtz, Clerk of the Circuit Court of the United States for the Eastern District of Wisconsin do hereby certify that judgment was duly entered and docketed in favor of the plaintiff in the above entitled cause on the 31st day of December

A.D. 1873, for the sum of six thousand One hundred and fifty six dollars damages and six hundred and twenty-seven ¹⁰⁰ Dollars costs, and that on the 25th day of February A.D. 1874, a writ of error was duly sued out and allowed at the instance of said defendants.

In testimony whereof I have hereunto set my hand & duly affixed the seal of said Court at the City of Milwaukee this 8th day of February A.D. 1875, and of our Independence the 99th.

Edward Kurtz
Clerk

And having stated that the plaintiffs in Error had allogether failed to file the record of said cause in this Court, or in anyway to prosecute said writ of Error now here moved the Court in pursuance of the 9th

rule of this Court to have this writ of Error docketed & dismissed. On consideration whereof it is now hereordered and adjudged by this Court that this writ of Error to the Circuit Court of the United States for the Eastern District of Wisconsin be, and the same is hereby docketed and dismissed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice the said writ of Error notwithstanding.

per Mr Chief Jus. Waite.

The Chief Justice announced that the Court had accepted an invitation to attend the funeral of the late Hon. Samuel Hooper of Massachusetts to be held in the House of Representatives tomorrow, & consequently would not transact any business on that day.

On motion being made the Court is adjourned until tomorrow afternoon at one and a half o'clock.

Tuesday, February 16th 1875

Pursuant to adjournment the Court met this afternoon at one & a half o'clock at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened.

The Chief Justice announced that the Court would now take a recess until 3 o'clock to attend the funeral of the late Hon. Samuel Hooper of Massachusetts to be held in the Chamber of the House of Representatives, and on re-assembling—

Tuesday, February 16, 1875, Continued—

adjourned until to-morrow.—

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock—

Wednesday, February 17th 1875

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal,
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. E. R. Hoar, it is ordered that Francis C. Barlow, Esquire, of New York City, be admitted to practice as an attorney and counselor of this Court and he was sworn accordingly.

Wednesday, February 17th 1875, Continued

The Chief Justice announced to the Bar that the Court will adjourn over from Friday the 5th of March next to Monday the 22d of the same month.

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775. The United States vs. Appellants / Abel Stearns, substituted for Juan Bandini

On motion of Mr. Assistant Attorney General Hill, leave is hereby granted the Clerk to issue the Mandate in this cause.

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5. Original. Ex parte, In the matter of Charles Sawyer et al Petitioners

The motion for a peremptory mandamus in this cause was argued by Mr. John Lathrop in support of the same and by Mr. E. F. Hodges in opposition thereto. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

Mr. Justice Clifford did not sit during the argument of this motion.

Wednesday, February 17th 1875. Continued.

193. Louis E. Amoine & al vs. William C. Dean, Appellants

The argument of this cause was continued by Mr. Aug. F. Smith of counsel for the appellants, by Mr. E. S. Merrill & Mr. E. T. Allen of counsel for the appellee & concluded by Mr. Smith for the appellants.

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364. Charles R. Tucker et al. vs. Nelson Ferguson et al, Appellants

On the application of Mr. Coffey one hour additional time allowed on each side in the argument of this cause.

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364. Charles R. Tucker et al vs. Nelson Ferguson et al, Appellants

The argument of this cause was commenced by Mr. T. J. Coffey, of counsel for the appellants.

(Mr. Justice Hunt did not sit during the argument of this cause.)

Proclamation being made the Court is adjourned until to morrow at twelve o'clock.

Thursday, February 18th 1875

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

John G. Nicolay, Esquire, Marshal -
Daniel Newley Middleton, Clerk -

Proclamation being made the Court is opened -

On motion first made to the Court in this behalf by Hon. S. M. Kellogg, it is ordered that Charles Holt Fowler, Esquire, of New Haven, State of Connecticut, be admitted to practice as an attorney and counselor of this Court and he was sworn accordingly.

Thursday, February 18th 1875, Continued.

On motion first made to the Court in this behalf by Hon. J. O. Howe, it is ordered that William P. Dixon, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly—

On motion first made to the Court in this behalf by Hon. P. S. Crooke, it is ordered that Simeon B. Chittenden Jr., Esquire, of Brooklyn, State of New York, be admitted to practice as an attorney and counselor of this Court and he was sworn accordingly—

484.	William Danz vs Samuel Boyce	In Error to the Supreme Court of the State of Michigan

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Michigan, and on the stipulation on file and motion of Mr. C. A. Hill in behalf of the respective counsel stating that the

Matters in controversy in this cause have been agreed and settled between the parties, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite

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364. Charles K. Tuckerman et al vs. Nelson Ferguson et al, Appellants

The argument of this cause was continued by Mr. J. Coffey of counsel for the appellants, by Mr. Isaac Marston and Mr. C. A. Kent of counsel for the appellees and concluded by Mr. Coffey for the appellants.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday, February 19th 1875.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. H. M. Finch, it is ordered that Robert A. Willson, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counselor of this Court and he was sworn accordingly.

Friday February 19th 1875, Continued.

411. The Ship "Belle of the Sea" &c. vs. Appellant / Henry H. Johnson et al

On motion of Mr. Wilson leave is hereby granted the Clerk to issue the mandate in this cause.

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318. John B. Kenny, Collector &c. vs. Plff in Error / The Phila. & Reading R.R. Co.

553. Marshall B. Blake, Collector &c. vs. Plff in Error / The National City Bank of N.Y.

554. Marshall B. Blake, Collector &c. vs. Plff in Error / The Fourth National Bank

555. Marshall B. Blake, Collector &c. vs. Plff in Error / The National Park Bank

(Assigned cases) The argument of these cases was commenced by Mr. Solicitor General Phillips of counsel for the plaintiffs in error, continued by Mr. H. C. Barlow of counsel for the defendants in error in Nos. 553, 554 & 555 (and submitted on printed argument by Mr. J. E. Gowen of counsel for the defendant in error in No. 318,) and concluded by Mr. Attorney General Williams, of counsel for the plaintiffs in error.

Friday, February 19th 1875, Continued

391. J. Sterling Morton et al vs. Plffs in Error
Jesse T. Green et al -

(Assigned.)
The argument of this cause was commenced by -

Mr. Montgomery Blair, of counsel for the plaintiffs in error, and continued by Mr. William Lawrence and Mr. R. H. Bradford for the defendants in error.

Proclamation being made the Court is adjourned until Monday at twelve o'clock -

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Monday, February 22d 1875.

Pursuant to adjournment the Court met to-day at the Capitol.

Present-

The Honorables Morrison R. Waite, Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley &
Ward Hunt -
Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk -

On motion first made to the Court in this behalf by Mr. D. D. Durant, it is ordered that Charles Edward Soucher, Esquire, of New York City, be admitted to practice as an attorney and counselor of this Court and he was sworn accordingly -

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	Nicholas C. Stephen	Appeal from the
87.	vs. Appellant	Supreme Court of
	William D. Beall and	the District of
	Mary Beall, his wife	Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings to be had therein in conformity with the opinion of this Court with leave to the parties to amend their pleadings if they be so advised.

Per Mr. Justice Hunt

Monday, February 22d. 1875. Continued-

156.	Daniel Garrison vs. The Mayor, Aldermen & Commonalty of the City of New York.	In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Field.

190.	George Gavinzel vs. Robert H. Crump and Sarah E. Crump, his wife, & Edward Y. Cannon.	Appeal from the Circuit Court of the United States for the Eastern District of Virginia.

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a decree for the complainant in conformity with the opinion of this Court.

Per Mr. Justice Davis.

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157. Washington K. Vermilye and James A. Frowbridge, Lathan A. Fish & Donald Mackay vs. The Adams Express Co. Appellants

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard, on the transcript of the record from the Circuit Court of the United States for the Southern

District of New York, and was argued by counsel. On consideration whereof it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Miller

178. Richard H. Pleasants and Jacob H. Pleasants vs. Hamilton T. Faut. | In Error to the Circuit Court of the United States for the District of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Miller

Monday, February 22nd 1875. Continued -

William Lewis	Appeal from the Dis-
No. vs. Appellant	trict Court of the United
Benjamin F. Hawkins	States for the Western
& Rhoda Hamilton	District of Arkansas

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Western District of Arkansas, and was argued by counsel - On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, reversed with costs - And that this cause be, and the same is hereby, remanded to the said District Court for further proceedings to be had therein in conformity with the opinion of this Court -

Per Mr Justice Swayne.

William B. Taylor 181. vs. Plff in Error. Samuel B. Thomas, Sheriff, & B.H. Pittman.	In Error to the Supreme Court of the State of Mississippi

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Mississippi, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Clifford.

Nathan B. Hill, as Administrator of Samuel Hill, deceased. 127. vs. Plff in Error. Cyrus P. Mendenhall	In Error to the Circuit Court of the United States for the Eastern District of North Carolina.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the

Eastern District of North Carolina, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to award a venire facias de novo and permit such amendments to the pleadings as may be necessary to present fairly for trial the real issues between the parties.

per Mr. Chief Justice Waite

George Oulton, Collector of Internal Revenue vs. Affin in Error
The Savings & Loan Society

No. 69. In Error to the Circuit Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and was argued by counsel.

On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs - And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to render judgment for the defendant.

per Mr. Chief Justice Waite

George Oulton, Collector of Internal Revenue vs. Plff in Error	In Error to the Circuit Court of the United States for the District of California.
170. The California Insurance Company		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and was argued by counsel.

On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs - And that this

cause be, and the same is hereby, remanded to the said Circuit Court with directions to render judgment for the defendant.

per Mr. Chief Justice Waite

L. H. Cary, Collector of Internal Revenue. Pff in Error
vs.
The San Francisco Savings Union.

In Error to the Circuit Court of the United States for the District of California.

171.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter judgment for the defendant.

per Mr. Chief Justice Waite.

Monday, February 22nd 1875, Continued-

172.	L. H. Cary, Collector of Internal Revenue. vs. The Savings & Loan Society	In Error to the Circuit Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to render judgment for the defendant.

Per Mr. Chief Justice Waite

Monday, February 22d 1875. Continued.

173. L. H. Cary, Collector of Internal Revenue. vs. Plff in Error
The German Savings & Loan Society

In Error to the Circuit Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to render judgment for the defendant.

Per Mr. Chief Justice Waite.

Monday, February 22, 1875, Continued.

Roderick K. Butler		In Error to the
192.	vs. Pltff in Error	Circuit Court of
The United States		the United States
		for the Eastern

District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Tennessee, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

Per Mr. Chief Justice Waite

Samuel Fasnacht		In Error to the
564.	vs. Pltff in Error	Supreme Court
Michael Frank.		of the State of
		Louisiana

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and on the motion of Durant & Hornor,

Esquires, of counsel for the defendant in error, to dismiss this writ of error, which was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Waite

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586. William N. Bond et al. vs. John M. Moore. | Pffs in Errors

On consideration of the motion to dismiss this cause, and of the arguments of counsel thereupon had, as well in support of, as against the same, it is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr Chief Justice Waite.

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315. The United States vs. The Home Insurance Co. and 316. The United States vs. The Southern Insurance & Trust Company.

Appellant / Appellant

On motion of Mr. Attorney General Williams, it is ordered that these cases be advanced and assigned for argument on Friday next, the 26th instant-

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63. Henry Douglass vs. Plff in Error Wm Douglass, Admr &c.

On motion of Mr. P. Phillips leave is hereby granted the Clerk to issue the Mandate in this cause.

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84. David Dows et al vs. The National Exchange Bank of Milwaukee. and 154. David Dows et al vs. The Wisconsin Marine & Fire Insurance Co.

Plffs in Error / Plff in Error

On motion of Mr. H. M. Finch, it is ordered that these cases be, and the same are hereby, assigned for argument on the 1st Monday of April next-

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Monday, February 22d 1875, Continued-

5. The City of New Orleans vs. The New York Mail Steamship Company — Appellant

On motion of Mr. A. L. Burnett leave is hereby granted the Clerk to issue the Mandate in this cause.

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3 orig. The State of Florida vs. E. C. Anderson Jr. et al. — Complainant

The motion to revive and reinstate the order made by the Chief Justice on the 16th of May last, and afterwards suspended by him, was argued by Mr. Edward N. Dickerson in support of the same and by Mr. N. H. MacFarland in opposition thereto - Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider -

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3 orig. The State of Florida vs. E. C. Anderson Jr. et al. — Complainant

On motions of Mr. E. N. Dickerson leave is hereby granted him to file motion

to vacate the appointment of Receiver so far as it affects the interest of D. P. Holland.

A. J. Gill
152. vs. Appellant
The United States

Mr. T. J. Durant, of counsel for the appellant, having heretofore suggested the death of A. J. Gill, the appellant in this cause, moved the court for an order substituting John H. Martin, Administrator of the said A. J. Gill, deceased, as appellant- On consideration whereof, it is ordered that John H. Martin, Administrator of A. J. Gill, deceased, as aforesaid, be, and he is hereby, entered in the place of the said Gill, deceased, as the party appellant in this cause with liberty to prosecute this appeal-

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Bessie Edgar Gaulsen, Executrix &c.
1143. vs. Appellant.
The United States

The argument of the motion to remand this cause to the Court of Claims for additional findings, was commenced by Mr. J. D. McPherson in support of the same and continued by Mr. B. F. Butler in opposition thereto.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday, February 23d. 1875.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley &
Ward Hunt.
} Associate Justices

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. P. Phillips, it is ordered that Ridge Percehal, Esquire, of Austin, State of Texas, be admitted to practice as an attorney and counselor of this Court and he was sworn accordingly.

On motion first made to the Court in this

behalf by Mr. J. S. Black, it is ordered that Hon. John B. Packer, of Sunbury, and Hon. H. L. Richmond, of Meadville, State of Pennsylvania, be admitted to practice as attorneys and counselors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Hon. P. S. Crooke, it is ordered that R. L. Hand, Esquire, of Elizabethtown, State of New York, be admitted to practice as an attorney and counselor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. N. P. Clough it is ordered that Thomas Wilson, Esquire, of Winona, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Tuesday, February 23d. 1875, Continued-

On motion first made to the Court in this behalf by Hon. Matt. H. Carpenter, it is ordered that John N. Day, Esquire, of Oskaloosa, State of Kansas, be admitted to practice as an attorney and counselor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. Clarkson N. Potter it is ordered that George G. DeWitt Jr., Esquire, of New York City, be admitted to practice as an attorney and counselor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. N. Stoughton, it is ordered that C. B. Lawrence, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counselor of this Court and he was sworn accordingly.

Sepio Elgee Gaupen, Executrix &c.
143. vs. Appellant
The United States.

The argument of the motion to remand this cause to the Court of Claims for additional findings was continued by Mr. Joseph Casey in opposition to the same, and concluded by Mr. N. H. MacFarland in support thereof. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

The Leavenworth, Lawrence & Galveston Railroad Co.
676. vs. Appellant
The United States

The motion to postpone and reassign this cause for argument on the first day of the next term was argued by Mr. Edmunds, Mr. Conkling, and Mr. P. Phillips in support of the same, and by Mr. Geo. K. Peck, Mr. Lawrence, and Mr. Black, in opposition thereto. Whereupon this Court

not being now here sufficiently advised of and concerning what order to render in the premises took time to consider-

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39. J. Sterling Morton et ab vs. Plffs in Error / Jesse T. Green et al. | (Assigned.) The argument of this cause was continued by Mr. E. R. Hoar, of counsel for the defendants in error, and concluded by Mr. M. Blair, for the plaintiffs in error.

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147. Andrew L. McGraw vs. Appellant / Edgar M. Doolittle | Appeal from the Circuit Court of the United States for the Northern District of Illinois-

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and on the stipulation of counsel on file, it is now here ordered, adjudged, and decreed by this Court, that the decree of the said

Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Waite

1875. John W. Burke, Executor &c., vs. Linus M. Child, Appellant

The argument of this cause was commenced by Mr. T. J. Durant, of counsel for the appellant, and continued by Mr. R. D. Mussey and Mr. B. F. Butler for the appellee.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday, February 24th, 1875

Pursuant to adjournment the Court met to day at the Capitol

Present.

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

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676. The Leavenworth, Lawrence & Galveston Railroad Co. vs. The United States. Appellant

763. The Missouri, Kansas & and Texas Railroad Co. vs. The United States. Appellant

Ordered by the Court that these cases be, and the same are hereby, continued and assigned for argument

on the first Tuesday of the next term;
and that they be argued as one cause.

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193. John N. Burke, Executor &c. vs. Linus M. Child. Appellant

The argument of this cause was continued by Mr. B. F. Butler, of counsel for the appellee, and concluded by Mr. D. J. Durant for the appellant.

199. The Pittsburg, Cincinnati & St. Louis Railway Co. vs. Nancy Ramsey. Plff in Error

Affidavit of M. L. Knight withdrawn by Mr. J. M. Ross of counsel for the defendant in error.

199. The Pittsburg, Cincinnati & St. Louis Railway Co. vs. Nancy Ramsey. Plff in Error

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. R. Biddle Roberts, of counsel for the plaintiff in error, and by Mr John Van Arnam for the

for the defendant in error.

200. Eliza S. House et al vs. Andrew Mullen et al Appellants

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. H. W. Boyce of counsel for the appellants - No counsel appearing for the appellees.

201. The Phenix Mutual Life Insurance Co. vs. Plff in Error Thomas L. Hollomand.

This cause was argued by Mr. T. N. Bartley of counsel for the defendant in error - No counsel appearing for the plaintiff in error.

202. The Mechanics & Traders Bank vs. Plff in Error The Union Bank of Louisiana

This cause was argued by Mr. A. C. Jaime for the plaintiff in error and by Mr. P. Phillips

for the defendant in error.

The Mutual Life Ins. Co
203. vs. Pltff in Error.
James Young, Admr. &c.

Ordered that this cause be passed on account of sickness of counsel.

Daniel S Brown
204. vs. Pltff in Error
Joshua S. Brackett et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. C. T. Botts, of counsel for the plaintiff in error, and by Mr. J. M. Coghlan, for the defendants in error.

William P. Little, Assignee &c.
206. vs. Appellant
T. L. Alexander.

This cause was argued by Mr. S. F. Phillips of counsel for the appellant and submitted on printed argument by Mr. A. H. Grisom for the appellee.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock M.

Thursday, February 25th 1875.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Montgomery Blair it is ordered that Orville P. Allen, Esquire, of Utica, State of New York, be admitted to practice as an attorney and counselor of this Court and he was sworn accordingly.

Thursday, February 25th 1875, continued.

47	David S Bailey et al. vs. The Pacific R.R. Co., Constantine Maguire et al.	Ordered by the Court that this cause be re assigned for argument on the 22d of March.
205.	The Aetna Ins. Co. vs. Plffin Error Albert T. Bambis, trustee &c.	Ordered that this cause be passed for the day.
207.	Henry A. & M. Y. Tilden vs. Plffs in Error Chauncey B. Blair	Ordered that this cause be passed for the day.
208.	Craig Ritchie vs. Appellant Franklin County et al.	Ordered that this cause be passed for the day.
209.	Charles N. Jeffries, Adm'r &c. vs. Plffs in Error The Economical Mutual Life Insurance Co.	Ordered that this cause be passed for the day.

Thursday, February 25th 1875, Continued.

210.	The Winona & St. Peter R.R. Co. vs. Plff in Error. John D. Blake et al.	Ordered that this cause be passed & assigned for argument on the 22d of March, after the argument of No. 474.
211.	George C. Roberts vs. Appellant William F. Lyer	Ordered that this cause be passed for the day.
212.	William Sloan vs. Plff in Error John G. Lewis, Assignee &c.	This cause was argued by Mr. S. F. Phillips of counsel for the defendant in error and submitted on printed argument by Mr. H. H. Guion of counsel for the plaintiff in Error.
213.	John C. Burrows vs. Plff in Error Samuel T. Carrow, Marshal &c.	Ordered by the Court that this cause be, and the same is hereby, continued to the next term.

214. James S. Ray, Public Administrator &c. vs. Plff in Error
N. D. Brigham et al.

This cause was argued by Mr. T. J. Durant of counsel for the plaintiff in error and submitted on printed argument by Mr. E. T. Merrick and Mr. G. H. Reed for the defendant in error.

215. William Morris et al vs. Plffs in Error
John G. Prather

This cause was argued by Mr. M. Blair of counsel for the defendant in error, and submitted on printed argument by Mr. W. P. Bell for the plaintiffs in error.

Proclamation being made the Court is adjourned until to morrow at twelve o'clock.

Friday, February 26th 1875

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal.

Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. P. Phillips, it is ordered that Lucien Eaton and Preston Player, Esquires, of St. Louis, State of Missouri, and John Scott Jr., Esquire, of Baltimore, State of Maryland, be admitted to practice as attorneys and counselors of this Court and they were sworn accordingly.

Friday. February 26th 1875. Continued.

On motion first made to the Court in this behalf by Mr. A.J. Riddle, it is ordered that George F. Seymour, Esquire, of New York City, be admitted to practice as an attorney and counselor of this Court and he was sworn accordingly—

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207. Henry A. & M.Y. Filden vs. Plff in Error — Chauncey B. Blair — Ordered that this cause be passed and assigned for Thursday next, the 4th of March.

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211. George C. Roberts vs. Appellant — William H. Kyer. Ordered that this cause be passed on account of sickness of counsel.

The First National Bank of Selma. vs. Plff in Error — George W. Colby — On motion of Mr. Charles Case leave is hereby granted him to file the record and docket this case within twenty days from this date, on his filing a satisfactory bond—

or making a deposit in money as required by Rule No. 10.

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283. Hannah G. Mather vs. Plff in Error / Hudson E. Bridge. | In Error to the Circuit Court of the United States for the Northern District of Illinois-

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and it appearing to the Court from the stipulation on file that the matters in controversy have been agreed and settled between the parties, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite

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205. The Aetna Insce Co. vs. Plff in Error / Albert T. Baubie, Trustee. | This cause was argued by Mr. Lucien Eaton of counsel for

the plaintiff in error and by Mr. Preston Player for the defendant in error.

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315. The United States vs. Appellant / The Home Insce Co.

and

316. The United States vs. Appellant / The Southern Insurance & Trust Company.

These cases were argued by Mr. Assistant Attorney General Jofor the & Mr. Attorney General Williams of counsel for the appellants and by Mr. C. F. Peck and Mr. W. W. MacFarland for the appellees.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday. March 1st 1875.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. William Lawrence, it is ordered that Hon. Roger Q. Mills of Corsicana, State of Texas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John B. Sanborn, it is ordered that A. A. Setzer, Esquire, of Duluth, State of Minnesota, be admitted to practice as an attorney and counselor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Richard T. Merrick it is ordered that Frank B. McDonald, Esquire, of Indianapolis, State of Indiana, be admitted to practice as an attorney and counselor of this Court and he was sworn accordingly

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On motion first made to the Court in this behalf by Mr. R. D. Mussey, it is ordered that J. B. Foraker, Esquire, of Cincinnati, State of Ohio, be admitted to practice as an attorney and counselor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. C. Brewster, it is ordered that Walter J. Budd, Esquire,

of Philadelphia, State of Pennsylvania, and William N. H. Smith, Esquire, of Raleigh, State of North Carolina, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

James S. French	Appeal from the Su-
161. vs. Appellant	preme Court of the
Alexander Hay.	District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Strong

William Smith

305. vs. Plaintiff in Error. | In Error to the Supreme Court of the State of Illinois.

James M. Adsit impleaded with Sue M. Wright & Patrick Rourke, and the Trustees of Schools of Township 34 N. R. 6, E, in Grundy County.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and was argued by counsel On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr Justice Strong

Henry R. Jackson et al.

58. vs. Appellants. | Petition for re-hearing.

The Vicksburg, Shreveport & Texas Railroad Company et al.

The motion for a re-argument in this case

is denied. It is ordered however that the fifth paragraph of the decree be amended so as to read as follows.

And it is further ordered and decreed that the defendants do account for all money and property received by them out of the property so sold to them, or any of them, receiving in their account such credits, as under the circumstances of the case, by the law of Louisiana they are entitled to. And that they pay and deliver to the receiver whatever on such accounting may be found due from them.

Per Mr. Justice Strong

The Mutual Benefit Life Insurance Company. vs. Plaintiff in Error. Hallie Newton.	In Error to the Circuit Court of the United States for the Eastern District of Missouri

183.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern

District of Missouri, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to award a new trial.

Per Mr. Justice Field.

732. James Morgan vs. George W. Campbell, Assignee of the estate of Henry Leibenstein & Joseph Speigel, Bankrupts. | Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same

is hereby, affirmed with costs.

Per Mr. Justice Davis

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295 Samuel Atlee vs. The North Western Union Packet Co. | Appeal from the Circuit Court of the United States for the District of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa, and was argued by counsel- On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs- And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to render a decree for the libellant for half the damages resulting from the sinking of the barge as found by the Commissioner in the District Court.

Per Mr. Justice Miller.

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364. Charles R. Tucker, Oliver Prescott & Shepherd Knapp. vs. Nelson Ferguson, John H. Lamphier, William S. Bennett, Elias C. Martin, Charles F. Deverage, & Nathaniel Clark. — Appellants

Appeal from the Circuit Court of the United States for the Western District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Swayne.

Louis E. Amsinck, Gustave Amsinck, & G. H. Gossler 193. vs. Appellants. William C. Beaun, Assignee in Bankruptcy of Charles S. Kintzing.	Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the bill of complaint.

Per Mr. Justice Clifford.

Ex parte: In the matter of Charles Sawyer, John B. Brown, P. Brown, John S. Brown, Henry Fox, H. H. Furbush, and William Randall. — Petitioners.

5. Original

On consideration of the motion and petition for a writ of mandamus in this cause and of the argument of counsel thereupon had as well in support of, as against the same, it is now here ordered by the Court that said motion be denied, and that the petition in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Waite

Mr. Justice Clifford did not sit on the argument and took no part in the decision of this cause.

The Phoenix Mutual Life Insurance Company of Hartford, Connecticut

201. v. Plaintiff in Error.

Thomas K. Holloman.

In Error to the Circuit Court of the United States for the Southern District of Mississippi

Monday, March 1st 1875, Continued-

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Mississippi, and was argued by counsel- On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Mississippi.

per Mr. Chief Justice Waite

The United States
114. vs. Appellant.
C.B. Woodruff & A. Bouchard,
Julia A. Stitt, Extx. of Haller
Stitt, Mary A. Wells, et al.
and
Belfie Elgee Gaujean, Extx.
of John K. Elgee, deceased.
115. vs. Appellant
The United States

On motion of Belfie E. Gaujean, Executrix, it is ordered that the record in these causes be remanded to the Court of Claims with instructions to return the same to this Court with all convenient speed.

having first certified thereon whether upon the hearing of the causes in that court the following facts were found or assumed to have been found from the testimony submitted and intended to be included in the finding of facts upon which the judgment was founded -

1. That Josiah Chambers, before the seizure of the 572 bales of cotton mentioned in the petition and proceedings, had withdrawn from his copartnership & joint interest with John K. Elgee in said cotton.

2 - That previous to said seizure any former interest of said Chambers in said cotton had accrued to, and vested in, said Elgee, and he was deceased, and said Bepsie Elgee Jansen was his lawful executrix and representative of his estate.

This order is not intended to authorize the Court of Claims to re-try the cause and make new findings, but to enable it to inform this Court in an appropriate manner whether

the above facts were part of those found or assumed to have been found in the cause and which under the rules adopted by this Court should have been included in the findings required to be made and filed at or before judgment.

Per Mr. Chief Justice Waite

The State of Florida | On consideration of the
3. Orgl. vs. Complainant | motion to revive and
E.C. Anderson Jr. et al. | reinstate the order

made by the Chief Justice in this cause on the 16th day of May last, and afterwards suspended by him, and of the arguments of counsel thereupon had as well in support of as against the same. It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr Chief Justice Waite

Monday, March 1st 1875, continued.

The United States vs. Plffs in Error 609. William J. Cruikshank et al.	Ordered by the Court that this cause be re-assigned for argument on the 30th day of March next.

John M. Bailey, late Collector &c. vs. Plff in Error 528. The New York Central & Hudson River R.R. Co.	On motion of Mr. Attorney General Williams, ordered by the Court that this cause be advanced and set for argument on the 22d of March next.

John Good vs. Plff in Error 513. Ida Martin	The motion to dismiss this cause was submitted to the consideration of the Court on printed arguments by Mr. James G. Payne in support of the same and by Mr. R. T. Merrick in opposition thereto.

637. The North Carolina R.R.Co. et al. vs. Anthony A. Swasey et al. Appellants

The motion to dismiss this cause was submitted to the consideration of the Court on printed arguments by Mr. F. Carroll Brewster in support of the same and by Mr. M. H. Battle & Mr. William N. H. Smith in opposition thereto.

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184. James S. French et al. vs. Alexander Hay, Adm'r. &c. and Robert S. French, Mistake. 360. vs. Joseph B. Stewart et al. Appellants

On motion of Mr. H. Willoughby it is ordered by the Court that these causes be assigned for argument on the first day of April next, and that they be argued together as one cause.

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548. The Erie Railway Co. vs The Commonwealth of Pennsylvania. Plff in Error

On motion of Mr. L. D. Gilbert leave is hereby granted the Clerk to issue the

Mandate in this cause.

The State of Wisconsin. Complainant vs. The City of Duluth et al.	On motion of Mr. J. B. Sanborn leave is hereby granted him to file demurrer of defendants to complainant's bill in this cause.

Jorgl.

The State of Texas Complainant vs. George W. White, John Chiles et al.	The argument on the return to the rule on John Chiles to show cause why an attachment should not issue against him and he be punished for contempt was commenced by Mr. R. T. Merrick in support of the same and continued by Mr. Albert Pike in opposition thereto.

Jorgl.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, March 2d 1875.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Ward Hunt
Associate Justices
John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. E. L. Pierce, it is ordered that Asaph Churchill, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counselor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. J. Coombs, it is or-

dered that Edmund Wetmore, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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798. G. S. Berry, Geo. W. Deans, Wm. H. Abbott, & W. C. Allen. vs. Plffs in Error Patrick Cummiskey, and Bernard Cummiskey heirs & devisees of Michael Cummiskey, deceased.

Mr. H. L. Richmond of counsel for the defendants in error having filed and read in open court the following certificate, to wit:

"Patrick Cummiskey and Bernard Cummiskey heirs & Devisees of Michael Cummiskey, dec'd, a citizen of the State of Wisconsin

vs.

G. S. Berry, Geo. W. Deans, Wm. H. Abbott & W. C. Allen, Citizens of the State of Penna.

Circuit Court of the United States in and for the Western District of Pennsylvania No. 7 July Term 1871. at Erie

Action of Ejectment. July 21st 1871. Verdict

for Plaintiffs. July 28th. 1874. Judgment entered upon the verdict. July 28th. 1874. Writ of error sued out by Defendants and allowed by Hon. William McKennan Circuit Judge. Same day Citation issued by Cir. Judge. July 30th. 1874. Citation returned Endorsed: And now July 30th 1874 we accept service of the within writ and notice. Curtis & Reid, Attys for Defts in error.

From the Record.

Western District of Pennsylvania } ss. I, A.B. Force, Deputy Clerk of the U.S. Circuit Court, do hereby certify that the above and foregoing contains a true and correct copy of Docket Entries in the above entitled case, so far as the same is certified. And that no bail for costs or damages has been filed by Defendants in my office up to this date.

(Seal)

Witness my hand and the seal of said Court at Erie this 16th day of De-

tober A. D. 1874.

A. B. Force
Depty Clerk."

and having stated that the plaintiffs in error had altogether failed to file the record of said cause in this Court, or in anyway to prosecute said writ of error, now here moved the Court in pursuance of the 9th Rule of this Court, to have this writ of Error, docketed and dismissed. On consideration whereof it is now here ordered and adjudged by this Court that the writ of error in this cause to the Circuit Court of the United States for the Western District of Pennsylvania be, and the same is hereby, docketed and dismissed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice the said writ of error notwithstanding.

Per Mr. Chief Justice Waite

Tuesday March 2d 1875. Continued

The State of Texas vs. Compt. Geo. W. White, John Chiles et al.	The argument on the return to the rule on John Chiles to show cause why an attachment should not be issued against him and he be punished for contempt was concluded by Mr. T. J. Durant in support of the same.

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208. Craig Ritchie vs. Appellant Franklin County et al.	This cause was argued by Mr. T. W. B. Crews of counsel for the appellant and submitted on printed argument by Mr. J. C. Broadhead of counsel for the appellees.

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208. Craig Ritchie vs. Appellant Franklin County et al.	By leave of Court Mr. T. W. B. Crews filed two affidavits, with notice and service, in this cause.

Chas. H. Jeffries, Adm'r of Allan A. Kennedy, decd vs. Plff in Error
209. The Economical Mutual Life Insurance Co.

Mr. T. H. B. Crews having suggested the death of Chas. H. Jeffries, the plaintiff in error in this cause, moved the Court for leave to enter the appearance of C. S. Jeffries, Administrator de bonis non of Allan A. Kennedy, deceased. On consideration whereof it is now here ordered by the Court that the said C. S. Jeffries be, and he is hereby entered as the party plaintiff in error, in the place of Chas. H. Jeffries, deceased, as aforesaid, in this cause with liberty to prosecute this writ of error.

C. S. Jeffries, Adm'r de bonis non &c.
209½. vs. Plff in Error
The Economical Mutual Life Insurance Co.

This cause was argued by Mr. T. H. B. Crews of counsel for the plaintiff in error, and submitted on printed argument by

Tuesday March 2d 1875, Continued-

Mr. Joshua LaDue of counsel for the defendant in error.

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216. Sarah Ann Randall vs. Louis Kreiger. Appellant

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Lorenzo Allis of counsel for the appellant and by Mr. Henry J. Horn for the appellee.

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217. The Ogdensburgh & Lake Champlain R.R. Co. vs. Jefferson Pratt et al. Plff in Error.

The argument of this cause was commenced by Mr. C. H. Hill of counsel for the plaintiff in error and continued by Mr. E. L. Pierce of counsel for the defendants in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock-

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Wednesday, March 3d 1875.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Morrison R Waite, Chief Justice

Associate Justices

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Ward Hunt

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. M. H. Carpenter it is ordered that William F. Vilas, Esquire, of Madison, State of Wisconsin, be admitted to practice as an attorney and counselor of this Court and he was sworn accordingly.

Wednesday, March 3d. 1875, Continued-

On motion first made to the Court in this behalf by Mr. P. Phillips, it is ordered that John Howard, Esquire, of Richmond, State of Virginia, and Hon C. W. Jones of Pensacola, State of Florida, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Hon. John M. Johnston, it is ordered that F. P. Turner, Esquire, of Richmond, State of Virginia, be admitted to practice as an attorney and counselor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. Joseph Casey it is ordered that A. H. Coffroth, Esquire, of Somerset, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Ogdensburgh & Lake Champlain R.R.Co. vs. Pliff in Error 217. Jefferson Pratt et al.	The argument of this cause was continued by Mr. E.S. Pierce and Mr. Asaph Churchill of counsel for the defendants in error, and concluded by Mr. C.H. Hill of counsel for the plaintiff in error.

The New Jersey Railroad & Transportation Co. vs. Pliff in Error 218. Jerome B. Pollard et ux.	Ordered by the Court that this cause be passed on account of sickness of counsel.

Charles B. Hotchkiss vs. Appellant 219. The National Shoe and Leather Bank of N.Y.	The argument of this cause was commenced by Mr. F.N. Bangs of counsel for the appellant and continued by Mr. J.S. Woodward and Mr. H.A. Beach of counsel for the appellee.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday, March 4th 1875

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. R. T. Merrick it is ordered that Hon. R. M. Knapp, of Jerseyville, State of Illinois, and M. F. Morris, Esquire, of Washington, District of Columbia, be admitted to practice as attorneys and counsellors of this Court and they were sworn

accordingly.

John J. Dixwell & George T. Bigelow vs. Plffs in Error Stephen M. Jones	On motion of Mr. T. H. B. Crews, of counsel for the defendant in error, leave is hereby granted

167.

him to file motion for damages in this cause, and that he give notice of the same to the counsel for the plaintiffs in error.

George O. Hovey and Isaac F. Dobson, Agents of the Independent Insurance Company. vs. Plaintiffs in Error. The Home Insurance Company of Columbus, Ohio.	In Error to the Circuit Court of the United States for the Southern District of Ohio.

567.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and on the motion of Mr. C. A. Seward in behalf of

Counsel, and stipulation on file), it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Waite

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219. Charles B. Hotchkiss vs. The National Shoe & Leather Bank of New York. Appellant

The argument of this cause was continued by Mr. H. A. Beach of counsel for the appellee, and concluded by Mr. F. A. Bangs of counsel for the appellant.

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151. Edward Fox, Executor &c. vs. Joseph H. Seal et al. Plff in Error

On motion of Mr. P. Phillips leave is hereby granted the Clerk to issue the mandate in this cause.

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207 H. A. & M. Y. Tilden vs. Channcey B. Blair. Plffs in Error

This cause was argued by Mr. J. M. Van Cott of counsel for the

plaintiffs in error, and submitted on printed argument by Mr. J. E. Burrill of counsel for the defendant in error.

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220. Charles A. Nichols, Assignee &c. vs. Amasa M. Eaton et al. | Appellant | Ordered by the Court that this cause be passed on account of sickness of counsel.

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221. The Union Paper Collar Co. vs. Isaac Van Deusen et al. | Appellant | The argument of this cause was commenced by Mr. C. A. Seward of counsel for the appellant, and continued by Mr. J. J. Coombs of counsel for the appellee.

Proclamation being made the Court is adjourned until to morrow at twelve o'clock

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Friday, March 5th 1875.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Kelley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. Matt. H. Carpenter it is ordered that John Johns Jr., Esquire, of Richmond, State of Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. McVancott, it is ordered that Edwin A. Doolittle, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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58. Henry R. Jackson et al. vs. The Vicksburg Shreveport & Texas R.R. Co. et al. Appellants

On motion of Mr. P. Phillips leave is hereby granted the Clerk to issue the Mandate in this cause.

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24. A. J. Ambler vs. Rodney M. Whipple et al. Appellant

Mr. Carpenter filed motion to recall the mandate and for a re hearing of this cause.

Friday, March 5th 1875, Continued

249.	Francis Dainese vs. Appellant The Board of Public Works of the District of Columbia. and Francis Dainese vs. Appellant The Board of Public Works of the District of Columbia.	On the application of counsel it is ordered by the Court that these cases be argued together as one case.

408.	James Peay vs. Plff in Error The Commonwealth of Kentucky.	On motion of Mr. Pike it is ordered that this cause be assigned for argument on the Second Friday in April next, being the 9th day of the same month.

221.	The Union Paper Collar Co. vs. Appellant Isaac Van Deusen et al.	The argument of this cause was continued by Mr. Edmund Pettmore of counsel for the appellees, and

Friday, March 5th 1875, Continued.

Concluded by Mr. C. A. Seward for the appellant.

The Leavenworth Lawrence & Galveston R.R. Co.	On motion of
676. vs. Appellant	Mr. William
The United States	Lawrence
and	it is ordered
The Missouri Kansas &	that these
Texas R.R. Co.	cases be re-
763. vs. Appellant	assigned for
The United States	argument
	on the second
	Monday of

the next term. (Being the 18th day of October)

Hannah C. Grandin, Admx &c.	Ordered that
222. vs. Appellant	this cause be
The United States	passed for the
	day.

Julia A. Scott Executrix &c.	Ordered that
223. vs. Appellant	this cause be
The United States	passed for the
	day.

Friday, March 5th 1875, Continued

224.	J. C. & H. Ferrell vs. Hugh Allison	This cause was argued by Mr. P. Phillips for the appellants. No counsel appearing for the appellee.

225.	John F. Bailey, Assignee &c. vs. Hugh Weis et al.	This cause was argued by Mr. P. Phillips of counsel for the appellant and submitted on printed argument by Mr. S. J. Cumming for the appellees.

Proclamation being made the Court is adjourned until Monday the 22nd instant at twelve o'clock.

Monday, March 22d. 1875.

Pursuant to adjournment the Court met to-day at the Capitol.

Present-

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Thomas J. Durant it is ordered that Henry Wise Garnett, Tallmadge A. Lambert, and Charles King, Esquires, of Washington City, District of Columbia, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly

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On motion first made to the Court in this behalf by Mr. John A. Grow, it is ordered that P. E. Dye, Esquire, of Mitchellville, State of Iowa, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. H. Wells, it is ordered that E. G. Spaulding, Esquire, of Buffalo, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Geo. F. Edmunds, it is ordered that H. A. Clover, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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318. John S. Kinney, Collector of Internal Revenue. vs. The Philadelphia & Reading Railroad Company. | In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter judgment for the defendant.

per Mr. Justice Hunt.

Dissenting:
Mr. Jus. Strong
" " Bradley
" " Davis.

553. Marshall B. Blake, Collector of Internal Revenue. vs. The National City Bank of New York. | In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter judgment for the defendant.

Per Mr. Justice Hunt.

Dissenting:
Mr. Jus. Strong
" " Bradley
" " Davis

Monday, March 22d. 1875, Continued

554. Marshall B. Blake, Collector of Internal Revenue. vs. The Fourth National Bank. | In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter judgment for the defendant.

Per Mr. Justice Hunt.

Dissenting:
Mr. Jus. Strong
" " Bradley
" " Davis

555 Marshall B. Blake, Collector of Internal Revenue. vs. The National Park Bank. | In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter judgment for the defendant.

For Mr. Justice Hunt.

Dissenting
Mr. Jus. Strong
" " Bradley
" " Davis

315 The United States vs. The Home Insurance Company. Appellant | Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr Justice Strong

Mr Justice Bradley was not present during the argument of this cause and took no part in the decision.

316. The United States vs. The Southern Insurance & Trust Company. Appellant | Appeal from the Court of Claims.

This cause came on to be heard on the

transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Justice Strong

Mr. Justice Bradley was not present during the argument of this cause and took no part in the decision.

Daniel Brown
204. vs. Plaintiff in Error.
Joshua S. Brackett et al.

In Error to the Supreme Court of the State of California.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Su-

preme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Field.

William P. Little, Assignee of John L. Alexander, a Bankrupt.

206. vs. Appellant

T. L. Alexander

Appeal from the Circuit Court of the United States for the Western District of North Carolina.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of North Carolina and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a decree in

favor of the plaintiff that the judgment of P. L. Alexander is void as against the assignee, and is no lien on the property of the bankrupt in the hands of his assignee.

Per Mr. Justice Miller

Mr. Justice Bradley was not present during the argument of this cause and took no part in the decision.

John H. Burke, Executor of Nicholas P. Trist, dec'd. Appellant
vs.
Linus M. Child

1875.

Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the

same is hereby, reversed with costs.
And that this cause be, and the same
is hereby, remanded to the said Su-
preme Court with directions to dismiss
the bill.

Per Mr. Justice Swayne.

James S. Ray, Public Administrator of James A. Willard, deceased.
214. vs. Plaintiff in Error.
N. D. Brigham, N. Norsworthy, S. N. Norsworthy, Admr., & Goodrich & Bailey

In Error to the Supreme Court of the State of Louisiana.

This cause came on to be heard on the tran-
script of the record from the Supreme Court
of the State of Louisiana, and was argued
by counsel. On consideration whereof,
it is now here ordered, adjudged, and
decreed by this Court that the decree of
the said Supreme Court in this cause be,
and the same is hereby, affirmed with costs.

Per Mr. Justice Clifford.

Mr. Justice Bradley was not present

at the argument of this cause and took no part in the decision.

William Moran and Rowland Howes Noble. Plaintiffs in Error.
215 vs.
John G. Prather.

In Error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Louisiana.

Per Mr. Justice Clifford.

Mr. Justice Bradley was not present

at the argument of this cause and took no part in the decision.

The Pittsburg, Cincinnati & St. Louis Railway Co. vs. Nancy Ramsey

199. Plaintiff in Error.

In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

per Mr. Chief Justice Waite.

Monday, March 22d 1875, Continued

The Aetna Insurance Co. vs. Albert T. Bambie, Trustee of Susan L. Harris and William L. Middaugh.	In Error to the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Missouri.

Mr. Justice Bradley was not present at the argument of this cause and took no part in the decision.

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513. John Good vs. Plff in Error's Ida Martin

On consideration of the motion to dismiss this cause, and of the arguments of counsel thereupon had, as well in support of as against the same, it is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Waite

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811. Hiram M. Northrup & Joseph S. Chick vs. Plffs in Error Sheridan Shook Collector of Internal Revenue

Mr. Attorney General Williams of counsel for the defendant in Error having filed and read in open court the following certificate, to wit:

"Circuit Court of the United States for the Southern District of New York in the Second Circuit.

Hiram M. Northrup and Joseph S. Chick. vs. Plffs in Error Sheridan Shook Defendant in error.

I, Kenneth G. White, Clerk of the Circuit Court of the United States for the Southern District of New York, do hereby certify that on the twelfth day of December, 1872, Judge Woodruff rendered his decision in the above case in favor of the defendant in error, that judgment was docketed December 22d, 1873, against said plaintiffs in error for $14.70, that a writ of Error was sued out and allowed April 18th, 1874, and a return made to the same and forwarded to the Supreme Court of the United States on the 10th day of October, 1874, by Adams Express Company.

In testimony whereof I have hereunto subscribed my name and affixed the seal of said Circuit Court this sixteenth day of March A.D. 1875.

Seal

Kenneth G. White
Clerk."

and having stated that the plaintiffs in error had altogether failed to file

the record of said cause in this Court or in any way to prosecute said writ of error, now here moved the Court in pursuance of the 9th rule of this Court to have this writ of error docketed and dismissed. On consideration whereof, it is now here ordered and adjudged by this Court that the writ of error in this cause to the Circuit Court of the United States for the Southern District of New York be, and the same is hereby, docketed and dismissed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice the said writ of error notwithstanding.

Per Mr. Chief Justice Waite

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806. G. D. Newhall vs. Charles H. Sanger's Appellant

Mr. Attorney General Williams moved the Court to advance this cause and assign a day for hearing. Whereupon this Court not being now here sufficiently

advised of and concerning what order to render in the premises took time to consider -

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804. The Farmers & Mechanics National Bank of Buffalo. vs. Iliff in Error. Peter C. Dearing

Mr. Attorney General Williams moved the Court to advance this cause and assign a day for hearing - Whereupon this Court not being nowhere sufficiently advised of and concerning what order to render in the premises took time to consider.

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805. The First National Bank of Selma. vs. Iliff in Error. George W. Colby

Mr. P. Phillips moved the Court to advance this cause and assign a day for argument - Whereupon this Court not being nowhere sufficiently advised of and concerning what order to render in the premises took time to consider.

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210. The Winona & St. Peter R.R.Co. vs. Plff in Error. John D. Stake et al. | Mr. N. A. Cowdrey filed, and submitted to the consideration of the Court, motion for leave to intervene in this cause, and for a postponement of the time for hearing the same.

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776. Ah Took vs. Plff in Error. J. H. Freeman et al. | On motion of Mr. E. Pierrepont, and on the stipulation of counsel on file, it is ordered by the Court that the writ of error and citation in this cause be amended by substituting the name of Chy Lung for that of Ah Took.

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776. Chy Lung vs. Plff in Error J. H. Freeman et al. | Mr. E. Pierrepont moved the Court to advance this cause and assign a day for argument. Whereupon this Court not being now here sufficiently

advised of and concerning what order to render in the premises took time to consider.

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27. The Baltimore & Ohio Railroad Company. vs. Plff in Error. The State of Maryland.

On motion of Mr. Hill, in behalf of counsel for the respective parties, it is ordered that this cause be assigned for argument on Tuesday the 30th instant.

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43. 18 Barrels of Highwines &c. vs. Plffs in Error The United States

On motion of Mr. Hill leave is hereby granted the Clerk to issue the Mandate in this cause.

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131. Samuel R. Smith et al vs. Appellants The Steamer "Sea Gull" &c

137. The Steamer "Sea Gull" &c and The Schr "Sarah Watson" &c vs. Appellants S. R. Smith et al. Claimants

On motion of Mr. C. H. Hill leave is hereby granted the Clerk to issue the Mandate in these causes.

Daniel Garrison 156. vs. Pltff in Error. The Mayor &c. of New York City.	On motion of Mr. C.N. Hill leave is hereby granted the Clerk to issue the Mandate in this cause.

The Boston Elastic Fabric Company 209. vs. Appellants James S. Carew, The Boston Belting Co. and The New York Belting & Packing Company.	Appeal from the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and on the stipulation of counsel for the respective parties on file, it is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed at the cost of the appellees.

per Mr. Chief Justice Waite

Monday, March 22d 1875, Continued

644.	The City of Sheboygan vs. Pfiffin Error William E. Wickes.	In Error to the Circuit Court of the United States for the Eastern District of Wisconsin

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Wisconsin, and on the stipulation of counsel for the respective parties on file, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Waite

673.	Lucher S Beecher vs. Pfiffin Error Julia G. Jerome.	In Error to the Circuit Court of the United States for the Eastern District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Michigan, and on the authority

of the counsel for the plaintiff in error on file, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Waite

George Treat et al vs. Plffs in Error. Samuel Jemison. | Mr. M. Blair moved the Court to rescind and annul the judg-

721.

ment of affirmance entered in this cause, on the 11th day of January last, and for leave to file a correct and proper brief. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

Caleb Ives et al vs. Plff in Error. Palmer Hamilton. | Mr. H. N. Wells suggested the death of Palmer Hamilton, the defendant in

280.

error in this cause, and moved the

Court for leave to enter the appearance of Milton A. Hamilton Administrator of the said Palmer Hamilton, deceased, as the party defendant in error in this cause. On consideration whereof, it is now here ordered by the Court that the said Milton A. Hamilton, Administrator of the estate of Palmer Hamilton, deceased, as aforesaid be entered as the party defendant in error in this cause in place of the said Palmer Hamilton, deceased, with liberty to resist this writ of error-

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190.	George Gavinzel vs. R. H. Crump et ux, and others- Appellant	On motion of Mr. H. H. Wells leave is hereby granted the Clerk to issue the Mandate in this cause.

111.	Isaac H. Mallery et al. vs. H. M. & G. T. Rafferty Appellants	On motion of Mr. T. Wilson in behalf of counsel leave is hereby granted the Clerk to issue the mandate in this cause.

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7 of 8	The State of Wisconsin vs. The City of Duluth et al.	Complainant	On motion of Mr. Charles King the demurrer in this cause is ordered

to be assigned for argument on Monday the 19th day of April next.

3 of 8	The State of Florida vs. E. C. Anderson et al.	Complainant	Ordered by the Court that the motion filed by Mr. Dickerson

in this cause to discharge the Receiver so far as the interest of D. P. Holland is concerned be, and the same is hereby, assigned for argument on Monday the 5th of April next. And it is further ordered that the following motions be also assigned for argument on Monday the 5th day of April, the Court having this day granted leave to file the same, to wit: The petition of the Florida Central R.R.Co. for the payment of certain sums of money and for the delivery of papers, books, seal &c, of said Company; petition of Complainant for allowance,

550

out of the funds in the hands of the Receiver to pay solicitors fees; and motion of complainant for appointment of a master to take testimony.

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157 | Washington R. Vermilye et al. vs. The Adams Express Co. Appellants | On motion of Mr. C. F. Peck in behalf of counsel leave is hereby granted the Clerk to issue the Mandate in this cause.

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334 | The United States vs. John L. Villalonga Appellant | On motion of Mr. C. F. Peck leave is hereby granted the Clerk to issue the Mandate in this cause.

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790 | Benjamin R. Thomas et al. vs. Edmond Wooldridge et al. Appellants | The motion to dismiss this cause was submitted to the consideration of the Court on printed arguments by

Mr. Joseph Carey in support of the same and by Mr. A. B Pittman in opposition thereto. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

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47 H. David Bailey et al vs. The Pacific Railroad Co. Constantine Maguire et al Appellants

The argument of this cause was commenced by Mr. James Baker of counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday March 23d 1875

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Hon. Francis Kernan it is ordered that Sam. Bell Maxey of Paris, Lamar County, State of Texas, be admitted to practice as an attorney and counselor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph Casey it is ordered that Clinton Lloyd, Esquire, of Washington City, District of Columbia, be admitted to practice as an attorney and counselor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas Wilson it is ordered that Myron H. Beach, Esquire, of Dubuque, State of Iowa, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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557. Ira E. Munn et al vs. Plffs in Error
The People of the State of Illinois.

On motion of Mr. W. C. Cook and the written stipulation of counsel, it is ordered that this cause be substituted for No. 287, and be argued when the latter case is reached in the regular call of the docket, and that No. 287 take the place of this cause on the docket.

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804. The Farmers & Mechanics National Bank of Buffalo. vs. Plff in Error. Peter C. Dearing. | On consideration of the motion to advance and asign this cause for argument

it is now here ordered by the Court that said motion be, and the same is hereby, denied.

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805. The First National Bank of Selma. vs. Plff in Error. George N. Colby | On consideration of the motion to advance this cause, it is ordered

that said motion be granted and that the cause be, and the same is hereby, asigned for argument on the 19th day of April next.

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806. G. D. Newhall vs. Appellant. Charles N. Sanger. | On consideration of the motion to advance and asign this cause for argument it is

now here ordered by the Court that said motion be, and the same is hereby, denied.

776.	Chy Lung vs. J. H. Freeman et al.	Pltff in Error	On consideration of the motion to advance this cause and assign a day for argument, it is ordered by the Court that said motion be, and the same is hereby, denied, without prejudice to filing a similar motion at the next term.

210.	The Winona & St. Peter R.R. Co. vs. John D. Blake et al.	Pltff in Error	Ordered that this cause be set down for hearing on the third Monday of the next term, and that all parties interested in the question presented for determination have leave to file printed arguments to be used at the hearing. No such argument will be received or considered, however, unless twenty copies thereof shall be filed with the Clerk at least thirty days previous to the first day of the term. It shall be the duty of the Clerk to transmit to each of the counsel of record in the cause one copy of any

argument that may be filed under this order

per Mr. Chief Justice Waite

474.	David Bailey et al. vs. The Pacific R.R.Co., Constantine Maguire et al.	The argument of this cause was continued by Mr. N.A. Clover and Mr. B.A. Hill of counsel for the appellees and concluded by Mr Geo. F. Edmunds of counsel for the appellants.

528.	John M. Bailey, late Collector of Internal Revenue vs. The New York Central & Hudson River R.R.Co.	The argument of this cause was commenced by Mr. Solicitor General Phillips of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, March 24th 1875.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice

Associate Justices
- Nathan Clifford
- Noah H. Swayne
- Samuel F. Miller
- David Davis
- Stephen J. Field
- William Strong
- Joseph P. Bradley
- Ward Hunt

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. C. B. Lawrence it is ordered that John R. Eden, Esquire, of Sullivan, State of Illinois, be admitted to practice as an attorney & counselor of this Court and he was sworn accordingly.

Wednesday, March 24th 1875, Continued.

On motion first made to the Court in this behalf by Mr. C. B. Lawrence it is ordered that E. A. Small, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counselor of this Court and he was sworn accordingly.

528. John M. Bailey late Coll[r] Internal Revenue vs. Plff in Error. The New York Central & Hudson River R.R. Co.

The argument of this cause was continued by Mr. Solicitor General Phillips of counsel for the plaintiff in error, by Mr. S. F. Fairchild and Mr. Roscoe Conkling of counsel for the defendant in error, and by Mr. Attorney General Williams for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday, March 25th 1875.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first duly made to the Court in this behalf by Hon. J. S. Black, it is ordered that James S. Edmonds, Esquire, of Iowa City, State of Iowa, be admitted to practice as an attorney and counselor of this Court and he was sworn accordingly.

Thursday, March 25th 1875, Continued

On motion first made to the Court in this behalf by Mr. W. H. MacFarland, it is ordered that William Fitzhugh Whitehouse, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counselor of this Court and he was sworn accordingly.

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528. John M. Bailey, late Coll^r Internal Revenue. vs. Iliff in Error / The New York Central & Hudson River R.R. Co.

The argument of this cause was concluded by Mr. Attorney General Williams of counsel for the plaintiff in error.

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222. Hannah C. Grandin, Adm^x &c. vs. The United States / Appellant

On the application of counsel for the appellant half-an-hour additional time is granted each side in the argument of this cause.

Thursday, March 25th 1875, continued

222. Hannah C. Grandin, Adm'x &c. Appellant
vs.
The United States

The argument of this cause was commenced by Mr. Williams Johnston of counsel for the appellant, and continued by Mr. Assistant Attorney General Goforth and Mr. Attorney General Williams of counsel for the appellee.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday. March 29th 1875.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Williams it is ordered that James B. C. Drew, Esquire, of Jacksonville, State of Florida, be admitted to practice as an attorney and counselor of this Court and he was sworn accordingly.

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217. The Ogdensburgh & Lake Champlain Railroad Co. vs. Pliff in Error. Jefferson Pratt & Harrison G. Brigham. | In Error to the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Massachusetts.

per Mr. Justice Hunt.

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207. Henry A. Tilden & Moses Y. Tilden. vs. Pliffs in Error Chauncey B. Blair | In Error to the Circuit Court of the United States for the Southern District of New York.

Monday, March 29th 1875, Continued-

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of New York.

per Mr. Justice Strong

J. C. Ferrell & H. Ferrell		Appeal from the Circuit Court of the United States for the Southern District
224	vs.	
Hugh Allison	Appellants	

of Mississippi

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Mississippi, and was argued by counsel. On consideration whereof, it is now here

ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the petition for the writ of apistance.

Per Mr. Justice Field.

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208. Craig Ritchie vs. Franklin County, in the State of Missouri, et al. | Appeal from the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Davis

J. Sterling Morton, Charles A. Manners & Andrew Hopkins vs. Jesse T. Green, Horace Smith & The State of Nebraska.	In Error to the Supreme Court of the State of Nebraska.

391.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Nebraska, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Davis.

The State of Texas vs. George W. White, John Chiles et al.	On consideration of the petition filed in this cause for a rule on John Chiles requiring him to

1.0rig.

show cause why he should not be punished for contempt of this Court, and of his answer to the rule and to the interrogatories propounded to him, and

of the arguments of counsel thereupon had as well in support of as against the same. It is now here ordered and adjudged by this Court that the said John Chiles is guilty of contempt in violating the injunction of this Court in this case, and that he pay to the United States a fine of two hundred and fifty dollars and the cost of this proceeding. And that he stand committed to the custody of the Marshal of this Court until said fine and costs are paid.

per Mr. Justice Miller

Dissenting:
Mr. Jus. Field
" " Hunt

Augustin J. Ambler, Appellant
vs.
Rodney M. Whipple et al.

On consideration of the petition for a re-hearing in this cause, it is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Justice Miller

29th.

Monday March 29th 1875 Continued

John F. Bailey Assignee of Benjamin Glover a Bankrupt
vs
Hugh Weir Nathaniel B. Glover & Elenora Glover

Appeal from the Circuit Court of the United States for the Southern District of Alabama.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Alabama, and was argued by counsel - On consideration whereof it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause sustaining the demurrer and dismissing the bill, be, and the same is hereby, reversed with costs - And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions for further proceedings to be had therein in conformity with the opinion of this Court.

Per Mr. Justice Miller

216. Sarah Ann Randall vs. Louis Kreiger | Appeal from the Circuit Court of the United States for the District of Minnesota.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Swayne

221. The Union Paper Collar Co. vs. Isaac Van Deusen, John Van Deusen, & Henry Bachmer as Van Deusen, Bachmer & Company. | Appeal from the Circuit Court of the United States for the Southern District of New York.

Monday March 29th 1875 Continued-

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Clifford

Virginia L. Minor, & Francis Minor, her husband. vs. Plaintiffs in Error
Reese Happersett

182. In Error to the Supreme Court of the State of Missouri

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed

with costs.

per Mr. Chief Justice Waite

262.	William Sloan vs. Aff in Error John G. Lewis Assignee in Bankruptcy of Christy Rhyne.	In Error to the Supreme Court of the State of North Carolina

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of North Carolina, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite.

152.	Andrew J. Gill's Admr &c. vs. The United States	On motion of Mr. T. J. Durant it is ordered that this cause be assigned

for argument on Friday the 9th day of

April next.

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595. James May
vs. Appellant
Marguerite Leblanc
et al. Appellees

The motion to rescind and annul the order docketing and dismissing this cause entered on the 13th day of October last, and for leave to file the record and docket the case was argued by Mr. Geo. W. Paschal in favor of the motion, and by Mr. John A. Wills in opposition thereto. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

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315 The United States
vs. Appellant
The Home Insurance Co.

and

316. The United States
vs. Appellant
The Southern Insurance & Trust Company

On motion of Mr. C. F. Peck, leave is hereby granted the Clerk to issue the Mandates in these cases.

Monday, March 29th 1875, Continued.

811. Hiram M. Northrup et al. vs. Plff's in Error / Sheridan Shook, Coll. &c. | On motion of Mr. Attorney General Williams leave is hereby granted the Clerk to issue the mandate in this cause.

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9. William J. McComb, Surv'g Executor &c. vs. The County Commissioners of Knox County, Ohio. | On motion of Mr. W. H. Smith it is ordered that the judgment of dismissal entered in this cause on the 13th day of October last be cancelled and annulled, and that the case be reinstated on the docket, and continued to the next term.

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564. Samuel Fasnacht vs. Plff in Error / Michael Franks | On motion of Mr. C. N. Hornor, leave is hereby granted the Clerk to issue the mandate in this cause.

Monday, March 29th 1875, Continued-

78. James M. Thompson vs. N. B. Donaldson et al. | On motion of Mr. John A. Frost, leave is hereby granted the Clerk to issue the Mandate in this cause.

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222. Hannah C. Grandin, Admx &c. vs. The United States | The argument of this cause was continued by Mr. Thomas Wilson of counsel for the appellant.

Proclamation being made the Court is adjourned until to morrow at twelve o'clock.

Tuesday, March 30th 1875.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. James G. Berret it is ordered that Philip F. Thomas, Esquire, of Easton, State of Maryland, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Attorney General Williams, it is ordered that Richard L. Ashhurst, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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222. Hannah C. Francis, Adm'x &c. vs. The United States. Appellant. | The argument of this cause was concluded by Mr. Thomas Wilson of counsel for the appellant.

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67. Charles W. Slack, Coll'r &c. vs. William W. Tucker et al. Pl'ffs in Error. | (Assigned) This cause was argued by Mr. Solicitor General Phillips and Mr. Attorney General Williams of counsel for the plaintiff in error and by Mr. Henry D. Hyde for the defendants in error.

Tuesday, March 30th 1875, Continued.

539. Joshua F. Bailey, Coll'r &c. vs. Affin Error
Luther C. Clark et al.
and
540. Joshua F. Bailey, Coll'r &c. vs. Affin Error
Frank Work et al

(Assigned) The argument of these cases was commenced by Mr. Solicitor General Phillips of counsel for the plaintiffs in error, continued by Mr. J. E. Burrill of counsel for the defendant in error, and concluded by Mr. Attorney General Williams for the plaintiffs in error.

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527. Jay Cooke & Company vs. Affin Error
The United States

On motion of Mr. Attorney General Williams it is ordered that this cause be continued, and assigned for argument on the 2nd day of the next term.

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609. The United States vs. Affin Error
Wm. J. Cruikshank et al.

On the application of Mr. R. H. Marr, it is ordered that four hours be allowed

the counsel on each side in the argument of this cause.

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27. The Baltimore & Ohio Railroad Co. vs. The State of Maryland. | Pltff in Error | On the application of Mr. Reverdy Johnson, it is ordered that three hours be allowed counsel on each side in the argument of this cause.

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609. The United States vs. N. S. Cruikshank et al. | Pltff in Error | The argument of this cause was commenced by Mr. Solicitor General Phillips of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday March 31st 1875.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

The United States
vs. } In Error
M. Kirkham & al.

(Assigned) The argument of this cause was continued by Mr. Solicitor General Phillips of counsel for the plaintiff in Error, and by Mr. R. H. Marr, Mr. David Dudley Field, and Mr. P. Phillips for the defendants in error,

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Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday, April 1st 1875.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

The Chief Justice announced to the Bar that the Court will adjourn the present term on Monday the 3d. day of May next.

The United States
vs.
Iff in Error
Wm. J. Cruikshank et al.

(Assigned) The argument of this cause was continued by

Thursday, April 1st 1875, continued.

Mr. Reverdy Johnson of counsel for the defendants in error, and concluded by Mr. Attorney General Williams for the plaintiff in error.

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27. The Baltimore & Ohio Railroad Company vs. Pfff in Error The State of Maryland.

The argument of this cause was commenced by Mr. J. H. B. Latrobe of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday, April 2d 1875.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

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233. Ira Beard vs. Appellant / Mary F. McComb

The death of Mary F. McComb, the appellee in this cause having heretofore been suggested by her counsel Mr. S. A. Duncan, it is now here on motion of Mr. J. H. B. Latrobe of counsel for the appellant and in pursuance of the 15th rule of

this Court, Ordered, that unless the proper representatives of the said Mary F. McComb, deceased as aforesaid, shall voluntarily become parties within the first ten days of the ensuing term of this Court, the appellant shall be entitled to open the record and on hearing have his cause reversed, if it be erroneous, provided however, that a copy of this order shall be printed in some newspaper at the seat of government in which the laws of the United States shall be printed by authority for three successive weeks, at least sixty days before the beginning of the term of the Supreme Court next ensuing.

Isa Beard 233. vs. Appt. Mary F. McComb.	It is ordered that this cause be continued to the next term of this Court.

The Baltimore & Ohio R.R. Co 27. vs. Plff in Error The State of Maryland.	(Assigned) The argument of this cause was com-

Friday. April 2d 1875. Continued

tinued by Mr. J. H. B. Latrobe of
counsel for the plaintiff in error, and
by Mr. S. F. Thomas, Mr. S. T. Wallis,
and Mr. S. M. Steele for the defendant
in error.

Proclamation being made the Court is ad-
journed until Monday next at twelve o'clock

Monday, April 5th 1875.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. T. T. Crittenden it is ordered that James L. Crittenden, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Monday April 5th 1875, Continued

C. S. Jeffries, Admr
d. b. n. of Allen A.
Kennedy, deceased
Plff in Error
vs.
The Economical Mutual
Life Insurance Company

In Error to the
Circuit Court
of the United States
for the Eastern Dis-
trict of Missouri.

209

This cause came on to be heard on the
transcript of the record from the Circuit
Court of the United States for the Eastern
District of Missouri, and was argued by
counsel. On consideration whereof, it is
now here ordered and adjudged by this
Court that the judgment of the said Circuit
Court in this cause be, and the same is
hereby, affirmed with costs.

Per Mr. Justice Hunt.

Dissenting:
Mr. Jus. Clifford
" " Miller

219. Charles B. Hotchkiss vs. The National Shoe & Leather Bank of New York City & The Tradesmens National Bank. | Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel - On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Field.

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189. Charles Connoyer, S.B. Philbert, J.N. Atkins et al. vs. Plffs in Error Henry Schaffer | In Error to the Supreme Court of the State of Missouri.

This cause came on to be heard on the

transcript of the record from the Supreme Court of the State of Missouri, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Davis.

Eliza S. House, Mary D. Hunter & Charles Hunter v. Andrew Mullen, D. Brislin, Wm. S. Noll et al.

200. vs. Appellants

Appeal from the District Court of the United States for the Middle District of Alabama.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Middle District of Alabama, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby,

reversed with costs. And that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Southern District of Alabama sitting at Mobile, with directions to allow plaintiffs to amend their bill as they may be advised, and if they fail to do this within a reasonable time to dismiss it without prejudice.

Per Mr. Justice Miller.

The State of Texas vs. John Chiles

On consideration of the motion of Messrs. Durant and Merrick,

it is now here ordered that the Clerk of this Court be, and he is hereby, directed to issue summons in this cause to John Chiles and such other witnesses as may be named, to appear before James O. Clephane, the special Commissioner appointed by this Court to take depositions in this cause, at such time and place as said Commissioner may designate.

Per Mr. Justice Miller.

528. John M. Bailey, late Collector of Internal Revenue. vs. The New York Central and Hudson River R.R. Co. | In Error to the Circuit Court of the United States for the Northern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to award a venire facias de novo.

Per Mr. Justice Clifford.

Dissenting.
Mr. Justice Field.

Benjamin R. Thomas and Bettie B. Willis - Appellants - vs. Edmond Wooldridge, Samuel L. Wooldridge, Thomas C. Catching, William L. Ingersoll, and J. L. Lake, United States Marshal.	Appeal from the Circuit Court of the United States for the Southern District of Mississippi.

790.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Mississippi, and on the motion of Mr. Casey of counsel for the appellees to dismiss this appeal which was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction

per Mr. Chief Justice Waite

George Treat et al vs. Affs in Error. Samuel Jemison.	On consideration of the motion to rescind and annul the judgment

791.

of affirmance entered in this cause on the 11th day of January last, and for leave to file a proper brief, it is now here ordered by the Court that said motion be, and the same is hereby, denied.

James May
595. vs. Appellant
Marguerite Leblanc et al.

On consideration of the motion to rescind and annul the order docketing and dismissing this appeal entered on the 13th of last October, and for leave to file the record and docket the cause, and of the arguments of counsel thereupon had as well in support of as against the same, it is now here ordered by the Court that said motion be, and the same is hereby, denied.

Ex parte: The United States
8 original - Petitioner

Mr. Assistant Attorney General Goforth asked and obtained leave to file a petition for a rule on the Judges of the Court of Claims

requiring them to show cause why a mandamus should not be issued to them compelling them to allow an appeal on behalf of the United States in the case depending in said Court of Claims entitled Archibald McKee et al. petitioners vs. The United States-

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27. The Baltimore & Ohio Railroad Company vs. Iliff in Error / The State of Maryland.

The argument of this cause was concluded by Mr. Reverdy Johnson of counsel for the plaintiff in error.

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3 Orig. The State of Florida vs. Complainant / E. C. Anderson Jr. et al.

The argument of the petition of the Florida Central Railroad Company for the payment of certain sums of money, and for the delivery of all books, papers, seal &c, held by the Receiver, was commenced by Mr. E. A. Dickerson in support of the same, continued by Mr. H. H.

MacFarland in opposition thereto, and concluded by Mr. Dickerson in favor of the same.

Proclamation being made the Court is adjourned until 10 o'clock to-morrow at twelve o'clock.

Tuesday, April 6th 1875.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

The State of Florida	vs.	The argument of the motion for the discharge of the Receiver in this
Lord. E. C. Anderson Jr. et al.		

cause so far as the interest of D. P. Holland is concerned, was commenced by Mr. Matt. H. Carpenter in support of the same, continued by Mr. Bisbee, Mr.

MacFarland, and Mr. Boyce in opposition thereto, and concluded by Mr. Carpenter in favor of the motion. The motion for the appointment of a Master to take testimony &c. and the petition of complainant for an allowance out of the funds in the hands of the receiver to pay solicitors fees &c, were submitted. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

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184. James S. French et al vs. Alexander Hay, Admr &c. Appellants

and

360. Robert S. French, Trustee &c vs. Jos. B. Stewart et al Appellants

(Assigned) The argument of these cases was commenced by Mr. W. Willoughby of counsel for the appellants.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

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Wednesday, April 7th 1875.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice.

Associate Justices

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

No. William Lewis vs. Appellant / Benj. F. Hawkins et al. | On motion of Mr. R. M. Corwine, leave is hereby granted the Clerk to issue the Mandate in this cause.

Wednesday, April 7th 1875, Continued

20.	Henry A. Tilden et al vs. Aff's in Error Chauncey B. Blair	On motion of Mr. C. Van Santvoord leave is hereby, granted the Clerk to issue the Mandate in this cause.

181.	James S. French et al. vs. Appellants Alexander Hay, Admr &c. and Robert S. French, Trustee &c.	The argument of these causes was continued by Mr. Willoughby of counsel for the appellants, by Mr. A. A. Wells and Mr. Geo. H. Paschal of counsel for the appellees, and concluded by Mr. Willoughby for the appellants.
360.	vs. Appellant Jos. B. Stewart et al.	

84.	David Dows et al vs. Aff's in Error The National Exchange Bank of Milwaukee.	The argument of this cause was commenced by Mr. C. Van Santvoord of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock M.

Thursday, April 8th 1875.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice

Associate Justices.
- Nathan Clifford
- Noah H. Swayne
- Samuel F. Miller
- David Davis
- Stephen J. Field
- William Strong
- Joseph P. Bradley
- Ward Hunt

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. D. McPherson, it is ordered that Samuel C. Denson, Esquire, of Sacramento, State of California, be admitted to practice as an attorney and counselor of this Court and he was sworn accordingly.

Thursday, April 8th 1875, Continued-

On motion first made to the Court in this behalf by Mr. H. M. Finch, it is ordered that John L. Thompson, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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206. Wm P. Little, Apignee &c. vs. T. L. Alexander. Appellant

On motion of Mr. C. H. Hill, in behalf of Mr. S. F. Phillips, leave is hereby granted the Clerk to issue the Mandate in this cause

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84. David Dows et al vs. Plffs in Error The National Exchange Bank of Milwaukee

The argument of this cause was continued by Mr. C. Van Santvoord of counsel for the plaintiffs in error, by Mr. H. M. Finch, for the defendant in error, and concluded by Mr. Geo. F. Comstock, for the the plaintiffs in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday, April 9th 1875.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

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583. Richard Windsor vs. Affin Error Wm. N. McVeigh and Ann Gregory 633. vs. Affin Error Wm. N. McVeigh

The motion to dismiss these cases was submitted to the consideration of the Court on printed arguments by Mr. P. Phillips in support of the same and by

Mr. S. F. Beach in opposition thereto.

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154. David Dows et al vs. Plffs in Error The Wisconsin Marine & Fire Insurance Company. | This cause was argued by Mr. C. Van Santwood of counsel for the plaintiffs in error, and by Mr. N. M. Finch for the defendant in error.

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108. James Peay vs. Plff in Error The Commonwealth of Kentucky. | (Assigned.) This cause was submitted to the consideration of the Court on the record and printed arguments by Messrs. Pike and Johnson of counsel for the defendant in error. No counsel appearing for the plaintiff in error.

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152. John H. Martin, Admr &c vs. Appellant The United States | (Assigned.) This cause was argued by Mr. F. J. Durant of counsel for the appellant. The Court declined to hear any further argument in the case.

Friday, April 9th 1875, Continued.

The United States
142. vs. Appellants
C. V. Woodruff et al
Before Edgerton Jansen, Exr &c.
143. vs. Appellant
The United States
C. V. Woodruff & Co.
166. vs. Appellants
The United States.
Julia A. Nutt, Exr &c.
223. vs. Appellant
The United States.

On the application of counsel, it is now here ordered by the Court that two hours be allowed the counsel for the claimants in each of these cases in the argument of the same & that the Solicitor General be allowed one additional hour if he should desire it.

Friday April 9th 1875, Continued-

The United States
112. vs. Appellant
C. V. Woodruff et al

Bessie Elgee Jansen Extx &c
113. vs. Appellant
The United States

C V. Woodruff & Co.
166. vs. Appellants
The United States

and

Julia A. Nutt, Extx &c.
223. vs. Appellant
The United States

(Apigned.) The argument of these causes was commenced by Mr. Solicitor General Phillips of Counsel for the United States

Proclamation being made the Court is adjourned until Monday next at twelve o'clock

Monday, April 12th 1875

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Hon. Matt H. Carpenter, it is ordered that J. H. Gilpatrick, Esquire, of Leavenworth, State of Kansas, and Charles R. Gill, Esquire, of Madison, State of Wisconsin, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

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539. Joshua F. Bailey, Collector of Internal Revenue vs. Plff in Error
Luther C. Clark, John D. Maxwell, David Crawford Jr. Geo. C. Clark and H. E. Dodge.

In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of New York.

Per Mr. Justice Field.

Monday, April 12th 1875, Continued.

Joshua F. Bailey, Collector of Internal Revenue. Plff in Error
vs.
Frank Work and George Wood.

In Error to the Circuit Court of the United States for the Southern District of New York.

540.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of New York.

Per Mr. Justice Field.

John H. Martin, Admr of Andrew J. Hill, dec'd. Appellant
152. vs. Appeal from the Court of Claims.
The United States.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Per Mr. Chief Justice Waite

John D. Cosby, Sheriff &c., Admr of John Allen, dec'd, A. E. P. Campbell in her own right & as Admx of A. Hickman, dec'd, et al
162. vs. Appellants. Appeal from the Circuit Court of the United States for the Western District of Virginia.
Matthew H. Buchanan late Sheriff &c., & Admr d. b. n. of John Hunt, deceased.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Virginia, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court with instructions to enter a decree dismissing the bill of the complainants and granting the prayer of the cross-bill for a cancellation of the deed from Allen to Vint.

per Mr. Chief Justice Waite

James Peay	In Error to the
466. vs. Pfflin Error-	Circuit Court of
The Commonwealth	the United States
of Kentucky.	for the District of
	Kentucky.

This cause came on to be heard on the transcript of the record from the Circuit

Court of the United States for the District of Kentucky, and was argued by Counsel- On consideration whereof, it is now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby, dismissed for the want of jurisdiction-

Per Mr. Chief Justice Waite

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(23) The North Carolina Rail Road Company et al vs. Anthony H. Dewey et al

Appellants

Appeal from the Circuit Court of the United States for the Eastern District of North Carolina.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of North Carolina, and was argued by Counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction

Per Mr. Chief Justice Waite

Monday, April 12th 1875, Continued -

The State of Florida
3 ord. vs. Complainant
E. Anderson Jr. et al.

The motion for the appointment of a commissioner to take and report the testimony in this cause is granted. The parties may agree upon a person to be appointed. If unable to do so, the Court will at a future day name some one for that purpose.

The State of Florida
3 ord. vs. Complainant
E. Anderson Jr. et al.

The motion for an order upon the receiver to pay anything from the moneys in his hands to defray the expenses of this suit is denied.

per Mr. Chief Justice Waite.

Orders

Ordered that the amendments and additions to the Rules in Bankruptcy now filed in the office of the Clerk be, and the same are hereby adopted. And the Court directs that the same be printed and distributed by the Clerk.

724.	Harvey Sandusky vs. The First National Bank of Indianapolis.	Appellant	The motion to dismiss this cause was submitted to the consideration of the Court on printed arguments by Mr. W. T. Otto in support of the same and by Mr. J. Harper in opposition thereto- Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider-

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4- original-	Ex parte: Louisa C. Medway	Petitioner.	Mr. Thomas Wilson asked and obtained leave to file a petition for a rule on the Judges of the Court of Claims requiring them to show cause why a writ of Mandamus should not be issued to them, to compel them to vacate the order entered April 5, 1875, and to proceed in obedience to the Mandate of this Court and in conformity to law and justice, in the case depending in said Court of Claims wherein Louisa

Monday, April 12th 1875, Continued-

C. Medway is plaintiff, and the United States is defendant-

468.	Henry B. Ste Marie vs. The United States	Appellant

Mr. V. B. Edwards suggested the death of Henry B. Ste Marie the appellant in this cause, and moved the Court for leave to enter the appearance of William Shuey, Executor of the said Henry B. Ste Marie deceased as aforesaid as appellant in this cause- On consideration whereof, it is now here ordered by the Court that the said William Shuey Executor as aforesaid be, and he is hereby, entered as the party appellant in this cause in place of Henry B. Ste Marie, deceased, with liberty to prosecute this appeal.

Monday, April 12th 1875, Continued—

The United States
142 — vs. Appellant
C.V. Woodruff et al.

B.E. Jaufpen, Extr &c.
143 — vs. Appellant
The United States

C.V. Woodruff & Co.
166 — vs. Appellants
The United States
and
Julia A. Nutt, Extr &c.
226 — vs. Appellant
The United States

The argument in these cases was continued by Mr. R.M. Corwine of counsel for C.V. Woodruff & Company and by Mr. W. W. MacFarland of counsel for Elgee's Succession.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock—

Tuesday, April 13th 1875.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice

Associate Justices
- Nathan Clifford
- Noah H. Swayne
- Samuel F. Miller
- David Davis
- Stephen J. Field
- William Strong
- Joseph P. Bradley
- Ward Hunt

John G. Nicolay, Esquire, Marshal

Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened.

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142 The United States vs. C. V. Woodruff et al

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143 B. E. Gaupen Extrix &c vs. The United States

The argument of these cases was continued by Mr. M. W. MacFarland, of counsel for Elgee's exception, by Mr.

Tuesday, April 13th 1875, Continued-

166 C. V. Woodruff & Co. vs. Appellants The United States

and

223 Julia A. Nutt, Executrix &c. vs. Appellant The United States

Joseph Casey for the appellant in No. 223, by Mr. M. Blair for C. S. Lobdell a party claimant, and by Mr. John D. McPherson for Elgee's succession-

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211 George C. Roberts vs. Appellant William H. Ryer-

Ordered by the Court that this cause be passed on account of sickness in the family of counsel and assigned for hearing on Monday April 19th-

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Proclamation being made the Court is adjourned until to-morrow at twelve o'clock-

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Wednesday April 14th 1875.

Pursuant to adjournment the Court met to day at the Capitol -

Present

The Honorable Morrison R. Waite, Chief Justice

Associate Justices
- Nathan Clifford
- Noah H. Swayne
- Samuel F. Miller
- David Davis
- Stephen J. Field
- William Strong
- Joseph P. Bradley
- Ward Hunt

John G. Nicolay, Esquire, Marshal

Daniel Kesley Middleton, Clerk -

Proclamation being made the Court is opened.

The United States
142 vs. Appellant
C. V. Woodruff et al.

B. E. Gaupen Extrx.
143 vs. Appellant
The United States

The argument of these cases was continued by Mr. B. F. Butler of counsel for C. V. Woodruff & Co, and concluded by Mr. Solicitor

Wednesday, April 14th 1875, Continued

C. V. Woodruff & Co. vs. Appellants 166 The United States and Julia A. Nutt, Executrix &c. 223 vs. Appellant The United States	General Phillips of counsel for the United States, and leave granted Mr. Blair to file brief in behalf of C. S. Lobdell Claimant in these cases-

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Washington Ford 226. vs. Pltff in Error James Burgess-	Ordered by the Court that this cause be, and the same is hereby continued to the next term by consent of counsel-

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The New Jersey Railroad & Transportation Company 218- vs. Pltff in Error Jerome B. Pollard et ux-	This cause was argued by Mr. Isaac H. Scudder of counsel for the plaintiff in error and by Mr. Albert A. Abbott for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock M-

Thursday, April 15th 1875.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

William E. Hunt vs. Plff in Error	In Error to the Circuit Court
D. J. Wetherbee and J. W. Phillips, use of D. J. Wetherbee	of the United States for the Southern District of Mississippi

This cause came on to be heard on the transcript of the record from the Cir-

cuit Court of the United States for the Southern District of Mississippi, and on the motion of Mr. P. Phillips of counsel for the plaintiff in error, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Waite

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227. Harry Fox et al vs. Plff in Error / Edwin W. Gardner, Assignee &c. | This cause was argued by Mr. L. T. Merrick of counsel for the plaintiffs in error and by Mr. F. Vilas for the defendant in error.

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228. Sidney Dillon vs. Appellant / Geo. M. Barnard et al | The argument of this cause was commenced by Mr. J. Storrow of counsel for the appellant & continued by Mr. W. G. Russell for the appellees.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday, April 16th 1875.

Pursuant to adjournment the Court met to-day at the Capitol -

Present

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John A. Wills, it is ordered that H. L. Flagg, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Friday, April 16th, 1875 Continued

407	The United States vs. Williams K. Hardy.	Appeal from the Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims, and on the stipulation of counsel for the respective parties on file, which stipulation is in the following words, viz: "It is hereby stipulated that the judgment in the above entitled cause may be affirmed after deducting therefrom 7 per cent of the whole amount, to wit, the sum of $11,061.05, being a deduction because said Hardy did not have the care and responsibility of performing the contract upon which suit was brought, which amount was not allowed to the United States by the Court of Claims - Judgment to be affirmed for the sum of $146,953.95, gold coin". On consideration whereof, and on the motion of Mr. Attorney General Williams, of counsel for the appellants - It is now here ordered and adjudged

by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed for the sum of One hundred and forty-six thousand nine hundred and fifty-three 95/100 dollars, gold coin-

per Mr. Chief Justice Waite

The United States vs. Appellant William H. Hardy	On motion of Mr. J. A. Wills leave is hereby granted the Clerk to issue the

H07- Mandate in this cause.

Charles A. Nichols, Assignee &c. vs. Appellant A. M. Eaton et al-	Ordered by the Court that this cause be, and the same is

220. hereby continued until the next term, by agreement of parties-

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Joshua F. Bailey, Collector &c. vs. Plff in Error Luther C. Clark et al and	On motion of Mr. Attorney General

539-

Friday, April 16th 1875, Continued

548	Joshua F. Bailey Collector &c vs. Plff in Error Frank Work et al.	Williams, leave is hereby granted the Clerk to issue

the Mandates in these cases.

228	Sidney Dillon vs. Appellant Geo. M. Barnard et al.	The argument of this cause was continued by Mr. W. G. Russell and Mr. C. S. Bradley

of counsel for the appellees and concluded by Mr. Sidney Bartlett for the appellant.

203.	The Mutual Life Ins. Co. of N.Y. vs. Plff in Error Jas. Young, Adm'r &c	The argument of this cause was commenced by Mr. W. D.

Davidge of counsel for the plaintiff in error and continued by Mr. Henry Beard for the defendant in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, April 19th 1875.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt

} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Francis Miller, it is ordered that L. M. Saunders, Esquire, of Washington City, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. Matt. H. Carpenter it is ordered that Samuel P. McConnell, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Attorney General Williams, it is ordered that John S. Blair, Esquire, of Huntingdon, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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679. Charles H. Slack, Collector of Internal Revenue. vs. Plff in Error. William H. Tucker, Henry Milliken, Samuel B. Dana, John B. Baldwin Jr., and Arthur Amory, partners doing business under the name & Style of Upham Tucker & Co.

In Error to the Circuit Court of the United States for the District of Massachusetts.

Monday, April 19th 1875, Continued.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to award a venire facias de novo.

Per Mr. Justice Bradley.

Dissenting:
Mr. Jus. Field.

David Bailey, Joseph Seligman, Edwin D. Morgan, Uriel Crocker, & George B. Curtis.

1474. vs. Appellants

The Pacific Railroad, Constantine Maguire, Joseph Brown, Hudson E. Bridge, R. J. Lackland, T. B. Edgar, N. C.

Appeal from the Circuit Court of the United States for the Eastern

Chapman, Oliver A. Hart, B. McChambers, David Rankin, B. Stickney, E. O. Stanard, Andrew Pierce, & Wm. M. McPherson — | District of Missouri

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

Per Mr. Justice Davis

Monday, April 19th 1875, Continued-

James S. French & Laura J. his wife, and Robert S. French-	Appeal from the Circuit Court of the United States for the Eastern District of Virginia-
184- vs. Appellants	
Alexander Hay, Admr of James McCullough, substituted Trustee-	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia, and was argued by counsel- On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs-

Per Mr. Justice Swayne

360 Robert S. French, Trustee of Laura J. French — v. — Joseph B. Stewart, Alexander Hay, Admr of James McCullough, deceased, and substituted Trustee, Geo. Wm Brent, James S. French, and Laura J., his wife, and J. N. Harper.

Appeal from the Circuit Court of the United States for the Eastern District of Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that so much of the decree of the said Circuit Court in this cause as dismisses the bill as to Alexander Hay be, and the same is hereby, affirmed. It is further ordered and decreed that the order vacating the orders and decrees of the State Court as to Stewart, under the original bill, be,

and the same is hereby, vacated. It is further ordered and decreed that so much of the final decree as dismisses the bill as to the said Stewart be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

Per Mr. Justice Swayne.

Hannah C. Grandin, Administratrix of John N. Piatt, deceased.
222. vs. Appellant
The United States

Appeal from the Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the

same is hereby reversed. And that this cause be, and the same is hereby, remanded to the said Court of Claims with instructions to render judgment in favor of the petitioner for the amount found to be due her in the fourth finding exhibited in the transcript.

per Mr. Justice Clifford

Dissenting:
Mr. Jus. Bradley
" " Swayne
" " Davis
" " Hunt

Henry N. Moore vs. Plff in Error
185- The State of Mississippi

In Error to the Supreme Court of the State of Mississippi

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Mississippi, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that

the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction-

per Mr. Chief Justice Waite.

The Chief Justice announced to the bar that the Court will not hear arguments in any case at this term, after Friday next, the 23d instant-

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Order.

The Reporter of the Court having represented to it that one volume will not contain all the decisions of the term, Ordered that he publish a second volume for the present term as provided by section 681 of the Revised Statutes of the United States-

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330- Myra Clark Gaines vs. Plff in Error / Joseph Fuentes et al.

Mr. C. N. Hornor of counsel for the defendants in error moved the Court for an order on the plaintiff in error, to complete the transcript of

the record in this cause by filing therein certain exhibits. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

The State of Texas
6. Orig. vs. Complainant
John Chiles

On motion of Mr. C. W. Horner it is ordered that the time for taking the depositions in this case be, and the same is hereby extended to the first Monday of October next.

Jno. N. Burke, Ex'r of
N. P. Trist, deceased.
1875. vs. Appellant
Linus M. Child

On motion of Mr. Horner leave is hereby granted the Clerk to issue the Mandate in this cause.

The United States
314 vs. Appellant
William J. Hill

Appeal from the Court of Claims.

Monday, April 19th 1875, Continued

This cause came on to be heard on the transcript of the record from the Court of Claims and on the motion of Mr. Assistant Attorney General Goforth of counsel for the appellant it is now here ordered and adjudged by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Waite.

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317. The United States, Appellant vs. Samuel F. Cabell. | Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and on the motion of Mr. Assistant Attorney General Goforth of counsel for the appellant, it is now here ordered and adjudged by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Waite.

Monday, April 19th 1875, Continued

Ex-parte: The United States		The petition
8 original	Petitioners	for an al-

ternative writ of mandamus was argued by Mr. J. S. Blair in support of the same; and rule to show cause was granted, returnable on Friday next the 23d instant.

Ex-parte: The United States.		On consideration
8 original.	Petitioner	of the petition

filed in this cause by Mr. Assistant Attorney General Goforth, it is now here ordered that the Judges of the Court of Claims show cause on Friday the 23d. of April A. D. 1875, why a writ of mandamus should not be issued to said Court to compel it to allow an appeal on behalf of the United States, in the case depending in said Court of Claims entitled Archibald McKee et al. claimants, vs. The United States.

Monday, April 19th 1875, Continued.

Ex-parte: Louisa C. Medway, Petitioner — The petition for an alternative writ of Mandamus in this cause was submitted by Mr. T. Wilson in support of the same — Rule to show cause granted returnable on Friday next the 23d instant —

Ex-parte: Louisa C. Medway, Petitioner — On consideration of the petition filed in this cause by Mr. Thomas Wilson, it is now here ordered that the Judges of the Court of Claims show cause on Friday April 23d A.D. 1875, why a writ of Mandamus should not be issued to said Court to compel it to vacate its order of April 5, 1875, and that it proceed in obedience to the Mandate of this Court and in conformity to law and justice, in the case depending in said Court of Claims wherein Louisa C. Medway is claimant, and The United States, defendant —

36. Dennis G. Littlefield et al. vs. John S. Perry, Trustee &c. | Appellants | Mr. E. W. Stoughton filed and submitted

to the consideration of the Court, motion to reform the decree as to costs in this case, and for leave for Mandate to issue - Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider -

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458. The New York Life Insurance Company vs. Henrietta Hendren - | Plff in Error | The motion to dismiss this cause was submitted to the consideration of

the court on printed arguments by Mr. Albert Ritchie in support of the same and by Mr. E. O. Hinkley in opposition thereto -

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Monday, April 19th 1875, Continued-

565. The United States vs. Plff in Error Annie Fox et al- | The motion to dismiss this cause was submitted to the consideration of the Court on printed arguments by Mr. James Flynn, in support of the same, and by Mr. Attorney General Williams and Mr. Assistant Attorney General Hill in opposition thereto -

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203. The Mutual Life Insurance Company of New York vs. Plaintiff in Error James Young, Admr &c. | The argument of this cause was continued by Mr. W. T. Otto of counsel for the defendant in error and concluded by Mr. Davidge for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

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Tuesday, April 25th 1875.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.

} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. T. O. Howe, it is ordered that Henry M. Lewis and J. C. McKenney, Esquires, of Madison, State of Wisconsin, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

Tuesday April 25th 1875 Continued-

801- N. M. Lee, Administrator of Julius A. Hobson, deceased vs. E. M. Garnett, Receiver &c. | In Error to the Circuit Court of the United States for the Eastern District of Virginia-

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia, and on the authority of Mr. F. T. Turner of counsel for the plaintiff in error on file and motion of Mr. Hill, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs-

per Mr. Chief Justice Waite-

773- The Globe Mutual Life Insurance Company vs. Eliza Garber | Mr. C. H. Hill in behalf of counsel filed a suggestion of the death of Eliza

Tuesday, April 20th 1875, continued-

Garber. the defendant in error in this cause, and moved the Court for leave to enter the appearance of Marcus A. Wolff, Executor of the said Eliza Garber, deceased, as the defendant in error in this cause- On consideration whereof, it is now here ordered by the Court that the said Marcus A. Wolff, Executor, as aforesaid, be entered as the party defendant in error in this cause in place of Eliza Garber, deceased, with liberty to resist this writ of Error.

The State of Wisconsin
J. or d. -vs- Complainant
The City of Duluth et al.

The demurrer to the bill in this cause was argued by Mr. H. N. Selzer in support of the same and by Mr. S. C. Sloan in opposition thereto-

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Tuesday, April 30th 1895, Continued-

805-	The First National Bank of Selma- v. Iffin in Error Geo. W. Colby-	The argument of this cause was commenced by Mr. C. Case of counsel for the plaintiff in error and continued by Mr. Alexander White for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock-

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Wednesday April 21st 1875.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

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205. The Aetna Ins. Co. vs. Alff in Error / Albert G. Tambid, Trustee &c.

On motion of Mr. P. Phillips leave is hereby granted the Clerk to issue the Mandate in this cause.

Wednesday April 21st 1875, Continued

The First National Bank of Selma 805. vs. Iliff in Error. George N. Colby	The argument of this cause was continued by Mr. Alexander White of counsel for the defendant in error and

concluded by Mr. P. Phillips for the plaintiff in error.

George C. Roberts 211. vs. Appellant William F. Ryer and Geo. C. Roberts 257. vs. Appellant Joseph Buck Jr.	The argument of these causes was commenced by Mr. Geo. F. Seymour of counsel for the appellant and continued by Mr. Carsten Browne of counsel for the appellees.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday, April 22d. 1875.

Pursuant to adjournment the Court met today at the Capital,

Present.

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

Richard Windsor
583. vs. Pfiffin Error
Wm. T. McVeigh.
and
Ann Gregory
633. vs. Pfiffin Error
Wm. T. McVeigh

On motion of Mr. Beach and consent of Mr. Phillips leave is hereby granted him to file reply brief in these cases.

Thursday, April 22d 1875, Continued-

George C. Roberts vs. Appellant 211- Wm. F. Ryer and George C. Roberts vs. Appellant 257- Joseph Buck Jr. appellants-	The argument of these cases was continued by Mr. Causten Browne of counsel for the appellees and concluded by Mr. T. A. Jenckes of counsel for the

The New York Harbor Protection Company 229- vs. Appellant The American Schooner "Clara" &c. and The Steamtug "Clara Clarita" &c. 230- vs. Appellant Augustus M. Cox et al.	These cases were argued by Mr. C. Dunbarwood of counsel for the appellants and by Mr. E. H. Owen of counsel for the appellees.

The Steamer "Rio Grande", her tackle &c. 231- vs. Appellants William Otis et al-	This cause was argued by Mr. P. Phillips of counsel for the

appellees, and submitted on printed argument by Mr. D.C. Labatt of counsel for the appellant-

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232- Charles S. Wood vs. Jno. F. Bailey Assignee &c. | This cause was argued by Mr. P. Phillips of counsel for the appellee and submitted on printed argument by Mr. Thomas A. Price of counsel for the appellant-

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215- Wm. Moran et al vs. Plff in Error John G. Prather | On motion of Mr. Blair leave is hereby granted the Clerk to issue the Mandate in this cause-

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Proclamation being made the Court is adjourned until tomorrow at twelve o'clock-

Friday, April 23d 1875-

Pursuant to adjournment the Court met to-day at the Capitol-

Present-

The Honorable Morrison R. Waite, Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk-

Proclamation being made the Court is opened-

On motion first made to the Court in this behalf by Mr. Assistant Attorney General Goforth it is ordered that Joseph H. McCammon, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney & counselor of this Court and he was sworn accordingly-

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Ex parte: Louisa C. Medway
7 - original - Petitioner

The return to the rule issued in this cause having been filed, the petition for a peremptory writ of Mandamus on the Court of Claims came on to be heard and was argued by Mr. Thomas Wilson in support of the same and by Mr. Asst. Attorney General Goforth in opposition thereto -

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Ex parte: The United States
8 - original - Petitioner

The return to the rule issued in this cause having been filed, the petition for a peremptory writ of Mandamus on the Court of Claims came on to be heard and was argued by Mr. John S. Blair in support of the same and by Mr. H. Penn Clarke in opposition thereto -

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The United States
234 - vs - Appellant
D. G. Farragut, Admiral, et al -

This cause was argued by Mr. Attorney General Williams and Mr. R. M. Corwine

of counsel for the appellant, and by Mr. B. F. Butler for the appellees. (Mr. J. Hubley Ashton and Mr. N. Wilson also submitted a printed argument in behalf of Admiral Porter and Rear Admiral Bailey.)

The Illinois Central Railroad Company	In Error to the Circuit Court of the United States for the District of Iowa.
642 vs.	
Michael Martin-	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa, and on the authority of the counsel for the plaintiff in error on file and motion of Mr. R. H. Conwin it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs-

Per Mr. Chief Justice Waite-

Friday April 23d 1875, Continued-

The Narragansett Steamship Company, Claimt of Steamer "Bristol" &c-
160. vs. Appellant
John Ponton et al
and
The Narragansett Steamship Company
161. vs. Appellant
John Ponton et al-

On motion of Mr. N. Wilson in behalf of counsel for the appellees it is ordered that the Clerk have leave to issue the Mandate in these causes-

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Proclamation being made the Court is adjourned until Monday the 3d of May next at twelve o'clock-

Monday, May 3d 1875.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. R. D. Mussey it is ordered that Albert Small, Esquire, of Hagerstown, State of Maryland, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. Geo. F. Edmunds, it is ordered that James Burrill Beals, Esquire, of Saint Paul, State of Minnesota, and Cutler McAllister, Esquire, of San Francisco, State of California, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly=

On motion first made to the Court in this behalf by Mr. Attorney General Williams it is ordered that Wm. Ko. Morrow, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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826 — Margaret Ray, Appellant, v. Henry T. Ray and Ferdinand Dangel — Mr. J. D. McPherson in behalf of Mr. J. Brumbach of counsel for the appellees having filed and read in open court the following certificate to wit:

Monday, May 3d. 1875. Continued.

" In the Supreme Court of Idaho Territory.

Margaret Kay
Plaintiff & Respondent.
-vs.
Henry T. Kay and Ferdinand Dangel.
Defendant & Appellant

I, Alonzo L. Richardson do hereby certify that I am the Clerk of the Supreme Court of Idaho Territory and that on the 31st day of January A.D. 1874, a decree was made in the above entitled cause in the said Supreme Court of Idaho Territory, reversing with costs the decree of the District Court of the second Judicial District of Idaho Territory, in and for the County of Ada, in the cause wherein Margaret Kay was plaintiff and Henry T. Kay and Ferdinand Dangel were defendants in said District Court, and wherein in this Court Henry T. Kay and Ferdinands Dangel were appellants, and Margaret Kay, respondent.

That on the 6th day of April A.D. 1874, an appeal from the said decree of reversal in said cause by the Supreme Court of Idaho Territory was duly sued out and allowed in said cause to the Supreme Court of the United States by the said Margaret Ray, respondent, in said cause in the Supreme Court of Idaho, to reverse the decree of said Supreme Court of said Territory -

That neither said Margaret Ray, nor any one in her behalf, has applied for a transcript of the record in said cause for the Supreme Court of the United States -

In testimony whereof I have hereunto subscribed my name and affixed the seal of said Supreme Court of the Territory of Idaho this nineteenth day of March in the year of our Lord one thousand eight hundred and seventy-five.

Seal

and of the Independence of the United States the ninety-ninth-

Alonzo L. Richardson
Clerk of said Supreme Court Idaho Territory-"

and having stated that the appellant has failed to file the record of said cause in this Court, or in anyway to prosecute said appeal, now here moved the Court in pursuance of the 4th rule of this Court, to have this appeal docketed & dismissed- On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that this appeal from the Supreme Court of Idaho Territory be, and the same is hereby, docketed and dismissed with costs- And that this cause be, and the same is hereby, remanded to the said Supreme Court to be proceeded in according to law and justice the said appeal notwithstanding-

per Mr. Chief Justice Waite

827 The United States vs. Appellant
Herbuno, Odon, and Manuel, Indians, & Joaquin Romero.

Mr. J. D. McPherson having filed and read in open court the following certificate, to wit:

"United States District Court, District of California.

"The United States
vs.
"Herbuno, Odon, and Manuel, Indians, and Joaquin Romero.

Land case No. 392.
"El Escorpion"
S. D. No. 129.

I, Edward B. Cotter, Clerk of the United States District Court for the District of California, and as such Custodian of the papers, records, and files of the late District Court of the United States for the Southern District of California, do hereby certify that from an inspection of said records, I find that on the first day of May A. D. 1862, the following order was duly made and entered in the above

entitled cause, viz:

"Now comes B. C. Whiting, U.S. Dist. Atty. and moves the Court that an appeal be allowed the United States in this case to the Supreme Court of the U.S. from the order and decree heretofore rendered by this Court, which motion being heard, and by the Court understood, is granted."

And I further certify that no other or further proceedings appear to have been taken in the said above entitled case.

In witness whereof, I have hereunto set my hand, and the seal of said Court at San Francisco, California, this 5th day of April, A. D. 1875.

(Seal)

Edw'd B. Cotter,
Clerk.
By N. D. Grimwood
Deputy Clerk."

and having stated that the appellant has altogether failed to file the record

said cause in this Court, or in any way to prosecute said appeal, now here moved the Court, in pursuance of the 9th Rule of this Court, to have this appeal docketed and dismissed. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that this appeal from the District Court of the United States for the Southern District of California be, and the same is hereby, docketed and dismissed. And that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of California to be proceeded in according to law and justice the said appeal notwithstanding.

Per Mr. Chief Justice Waite.

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2. The Mayor &c. of Mobile vs. Riffs in Error / Wm. E. Leverich et al.

On motion of Mr. J. D. McPherson leave is hereby granted him to withdraw from the files of this Court

Monday, May 3d 1875, Continued-

the original papers filed in this cause.

James P. Robinson
vs. Appellant
John Satterlee, Admr with the will annexed, of the estate of Wm S. Reese, deceased-

828-

Mr. C. McAllister of counsel for the appellees having filed and read in open Court the following certificate, to wit:

"In the Circuit Court of the United States of the ninth Judicial Circuit In and for the District of California.

James P. Robinson
vs.
John Satterlee, Admr with the will annexed of the estate of William S Reese, deceased.

I, Lorenzo S. B. Sawyer, Clerk of the Circuit Court of the United States for the District of California, in the ninth Judicial Circuit, do hereby certify that an order was made and entered in the above entitled suit on the 4th day of September, A.D. 1874, granting an appeal from the order

of this Court entered herein on September 7th A.D. 1869, dismissing the bill of complaint. I further certify that a bond on appeal was duly approved, a citation signed and issued by Hon. Lorenzo Sawyer, Circuit Judge, and said bond filed by me on September 5th A.D. 1874, and that the transcript on appeal herein was delivered to the appellant on September 29th A.D. 1874.

Seal

Witness my hand and the seal of said Circuit Court this 19th day of March A.D. 1875.

L. S. B. Sawyer
Clerk U.S. Circuit Court
9th Circt Dist. Cal. &c.

and having stated that the appellant has altogether failed to file the record of said cause in this Court, or in any way to prosecute said appeal, now here moved the Court in pursuance of the 9th Rule of this Court to have this appeal docketed and dismissed. On considera-

tion whereof, it is now here ordered, adjudged, and decreed by this Court that this appeal from the Circuit Court of the United States for the District of California, be, and the same is hereby, docketed and dismissed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice the said appeal notwithstanding.

per Mr. Chief Justice Waite.

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227. Harry Fox, William B. Howard, John Wheat & Charles Lyles vs. Edwin W. Gardner, Assignee of Nicholas Young, a bankrupt

In Error to the Circuit Court of the United States for the Western District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Wisconsin, and was argued by counsel. On consideration whereof, it is now

herein ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Wisconsin.

per Mr. Justice Hunt.

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231. The Steamer "Rio Grande", her tackle &c. The Ocean Tow Boat Company, Claimant. Appellant vs. William Otis et al. | Appeal from the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per

annum that decrees bear in the Courts of the State of Louisiana.

per Mr. Justice Hunt

The Baltimore and Ohio Railroad Company. Plff in Error vs. The State of Maryland	In Error to the Court of Appeals of the State of Maryland.

27.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Maryland, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Bradley

Dissenting:
Mr. Justice Miller.

Catharine A. Rodd, Admx. of the succession of Edward W. Rodd, et al.
33- vs. Appellants
Henry G. Hearn, D.C. McCan, et al, and the proceeds of the sale of the Steamer "Lolawanna".

Appeal from the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel- On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs- And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a decree in favor of the appellants in conformity with the opinion of this Court.
Dissenting: Mr. Justice Bradley
Mr. Justice Clifford
" " Field

Monday, May 3d, 1875. Continued.

142. The United States vs. Appellants
C. D. Woodruff and A. Bouchard, Julia A. Nutt, Executrix of Hallet Nutt, Mary A. Wells, Bessie Elgee Janssen, Executrix of John K. Elgee, deceased, et al.

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143. Bessie Elgee Janssen, Extrx. of John K. Elgee, deceased vs. Appellant The United States.

Appeals from the Court of Claims.

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166. C. D. Woodruff & Company vs. Appellants The United States.

and

223. Julia A. Nutt, Executrix of Hallet Nutt, deceased vs. Appellant The United States.

These causes came on to be heard on the transcript of the record from the Court of Claims, and were argued by counsel.

On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in these cases be, and the same is hereby, reversed. And that these cases be, and the same are hereby, remanded to the said Court of Claims with directions to dismiss the petitions of Woodruff and Bouchard, and Julia A. Nutt, Executrix, and to enter a judgment in favor of the personal representatives of John K. Elgee for the sum of $366, 470.83, found in the Treasury, the net proceeds of the sale of the cotton.

per Mr. Justice Strong

Dissenting:
Mr. Justice Bradley
" " Hunt

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202. The Merchants & Traders Bank vs. The Union Bank of Louisiana. | In Error to the Supreme Court of the State of Louisiana.

This cause came on to be heard on the

transcript of the record from the Supreme Court of the State of Louisiana, and was argued by counsel- On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs-

per Mr. Justice Strong

Dissenting:
Mr. Justice Field-

Mr. Justice Bradley did not sit on the argument of this cause and took no part in the decision.

228- Sidney Dillon vs. George M. Barnard, Charles S. Bradley & Charles R. Chapman, Assignees in bankruptcy of The Boston, Hartford & Erie Railroad Company-

Appeal from the Circuit Court of the United States for the District of Massachusetts-

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by Counsel- On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs-

per Mr. Justice Field

805- The First National Bank of Selma- vs. Plff in Error's George W. Colby-

In Error to the Supreme Court of the State of Alabama

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Alabama, and was argued by Counsel- On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs- And that this cause be, and the same is hereby, re-

manded to the said Supreme Court with directions to discharge the attachment on the property of the bank.

per Mr. Justice Field.

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232. Charles T. Wood vs. John F. Bailey, Assignee of Julius A. Wood, a Bankrupt, Gaines Whitfield, & Harriet E. Dubose, wife of J. N. Dubose

Appeal from the Circuit Court of the United States for the Southern District of Alabama.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Alabama, and was argued by counsel On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Miller.

Monday, May 3d, 1875. Continued.

234. The United States vs. David G. Farragut, Admiral &c, et al. | Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that so much of the decree of the said Supreme Court in this cause as relates to the $46,600, awarded as salvage, be, and the same is hereby, reversed; in all other particulars it is affirmed; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings to be had therein in conformity with the opinion of this Court.

Per Mr. Justice Miller.

Monday, May 3d, 1875, Continued.

203. The Mutual Life Insurance Company of New York &c. vs. James Young, administrator of M^c^Pherson Young, deceased. | In Error to the Circuit Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a judgment in favor of the defendant.

Per Mr. Justice Swayne.

229. The New York Harbor Protection Company. vs. The American Schooner "Clara" her tackle &c.- Augustus M. Cox, Lemuel A. Hopkins et al- Appellants

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Clifford.

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230. The Steaming "Clara Clarita" her engine &c. The New York Harbor Protection Company. vs. Augustus M. Cox, Lemuel A. Hopkins et al Appellants

Appeal from the Circuit Court of the United States for the Southern District

Monday, May 3d, 1875, Continued-

of New York-

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar decrees bear in the Courts of the State of New York-

Per Mr. Justice Clifford

528- Jno. McBailey, Collector of Internal Revenue. vs. Plff in Error, The New York Central & Hudson River R.R. Co.

In Error to the Circuit Court of the United States for the Northern District of New York.

Certain amendments and corrections

having been made in the opinion of the Court previously delivered in this case without any modification of the judgment, I am instructed by the Court to file the amended opinion, in substitution of the prior opinion, and to direct that the amended opinion be recorded as the opinion of the court in the case.

Per Mr. Justice Clifford

The State of Florida ex rel. Complainant
vs.
E.C. Anderson Jr. et al.

The Supreme Court of Florida having vacated the order of the circuit court of Duval County appointing a receiver for the Jacksonville, Pensacola, and Mobile Railroad Company, mentioned and set forth in the bill of the Complainant, and the Florida Central Railroad Company having applied to this Court for a surrender to it of that part of the Railroad, now in the possession of the Receiver in this cause, which lies east of Lake City, it is ordered that an account be taken of the

earnings of that part of said railroad since the same has been in the hands of the receiver herein; of the moneys collected by the receiver on account of the earnings of that part of the road previous to his appointment, of the expense in operating the same, of the expenditures in lasting and valuable improvements thereon, and of the debts of the Florida Central Rail-Road Company paid by the Receiver, and that upon the payment to the Receiver of any balance that may be found of expenditure or payment over and above the earnings, he surrenders to the said Florida Central Railroad Company that part of the said road and also any other property in his hands belonging to such company, and its corporate seal, books, papers, documents, and records. If said Company shall desire to take possession of said road and property before such account can be taken, the Receiver is directed to surrender the same upon receiving from said

Company a bond to the United States in the penal sum of fifty thousand dollars, with sureties to the satisfaction of the Justice of this Court assigned to the fifth circuit, conditioned for the payment of any sum that may be found to be due when such account shall be taken and stated.

2- Jacqueline J. Daniel is hereby appointed to take and state such account with the usual powers of a master in such cases.

3- It is also further ordered that the receiver pay to the said Florida Central Railroad Company, out of any moneys that may come into his hands not required to pay the operating expenses of the railroad, any balance that may be found due to it for earnings, over expenditures and payments upon the statement of such account.

4- The motion of the defendant Holland to discharge the Receiver upon that part of the road lying west of Lake City is denied.

5. The Chief Justice of this Court is authorized and empowered during the vacation to make and allow all such interlocutory motions, orders, rules, and other proceedings as by the general rules of chancery practice or by the rules prescribed by this Court for the circuit courts or courts of equity, can, or may, be had or done by a judge in chambers or at any time or place when the Court is not in term or in session; and also to name a master to take testimony in the cause in accordance with the order made herein on the 12th day of April last-

Per Mr. Chief Justice Waite.

7. orig. The State of Wisconsin vs. The City of Duluth et al. Complainant

On consideration of the demurrer filed in this cause and of the argument of counsel thereupon had, as well in support of, as against the same, it is now here ordered by the Court that said demurrer be, and the same is hereby,

overruled without prejudice to the renewal by answer of the defences urged in the argument of the demurrer.

per Mr. Chief Justice Waite

Ex parte: The United States, Petitioner | Petition for Mandamus.

8. orjc.

This cause came on to be heard on the petition and return to rule, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that a writ of peremptory mandamus issue from this Court directed to the Judges of the Court of Claims requiring and commanding said Court to allow an appeal on behalf of the United States from the judgment entered by said Court on the 18th day of January A. D. 1875, in the case depending in said Court entitled Archibald McKee et al., claimants vs. The United States.

per Mr. Chief Justice Waite

Ex parte: Louisa C. Medway, Petitioner. | On consideration of the petition for a writ of peremptory mandamus on the Court of Claims, in this cause, to compel said Court to vacate its order of April 5, 1875, and that it proceed in obedience to the Mandate of this Court, and in conformity to law and justice, and of the arguments of counsel thereupon had, as well in support of, as against the said petition, it is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Waite.

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9 orig.

The New Jersey Railroad & Transportation Company vs. Plff in Error, Jerome B. Pollard, and Sarah A. Pollard, his wife. | In Error to the Circuit Court of the United States for the District of New Jersey.

218.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Jersey, and was argued by counsel.

On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of New Jersey.

Per Mr. Chief Justice Waite

Harvey Sandusky, Appellant
vs.
The First National Bank of Indianapolis

Appeal from the Circuit Court of the United States for the Southern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and on the motion of Mr. M. T. Otto, to dismiss, which was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Waite

Richard Windsor
583. vs. Affin Error
Wm. T. McVeigh

and

Ann Gregory
633. vs. Affin Error
Wm. T. McVeigh

On consideration of the motion to dismiss these cases, and of the arguments of counsel thereupon had, as well in support of, as against the same, it is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Waite

The New York Life Insurance Company
458. vs. Affin Error
Henrietta Hendrew.

Ordered that the motion to dismiss this cause be, and the same is hereby, postponed until the hearing of the cause upon its merits.

John C. Burroughs
213. vs. Affin Error
Samuel T. Carrow, Marshal &c.

In Error to the Circuit Court of the United States for the Eastern District of North Carolina.

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the Eastern District of North Carolina, and on the motion of Mr. J. F. Phillips, of counsel for the defendant in error, stating that the matters in controversy in this cause have been agreed and settled between the parties, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed at the cost of the defendant in error.

Per Mr. Chief Justice Waite

The National Union Building Association.	vs.	Appeal from the Supreme Court of the District of Columbia.
274 The South Washington Building Association.	Appellant	

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and on the motion of Mr. J. D. McPherson, in behalf of R. T. Morsell, Esq., of counsel for the appellant, it is now here ordered, adjudged,

and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite

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36. Dennis G. Littlefield et al. Appellants vs. John S. Perry, trustee &c. | On consideration of the motion to reform the decree in this cause as to costs, it is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Waite

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565. The United States Plff in Error vs. Annie Fox et al. | Ordered by the Court that the motion to dismiss this cause be, and the same is hereby, postponed until the hearing of the cause upon its merits.

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330. Myra Clark Gaines Plff in Error vs. Joseph Fuentes et al. | On consideration of the motion for an order upon the plaintiff in

error in this cause to complete the record, it is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Waite.

Amendment to Rule No. 13 - In Equity.

The 13th Rule of practice in equity is amended so that it will read as follows:

The service of all subpoenas shall be by a delivery of a copy thereof by the officer serving the same to the defendant personally, or by leaving a copy thereof at the dwelling house or usual place of abode of each defendant, with some adult person who is a member or resident in the family.

Amendment to Rule No. 20.

The first paragraph of Rule 20. of this Court, is amended so that it will read as follows:

1. In all cases brought here on appeal or writ of error, or otherwise, the Court will receive printed arguments, without regard to the number of the case on the docket, if the counsel on both sides shall

chosen so to submit the same within the first ninety days of the term; but twenty copies of the arguments signed by attorneys or counsellors of this Court must be first filed; ten of these copies for the Court, two for the reporter, three to be retained by the Clerk and the residue for counsel -

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Amendment to Rule No. 16

Add at the end of paragraph 4.
All motions to advance cases must be printed and must contain a brief statement of the matter involved, with the reasons for the application.

The Chief Justice announced that the Court had adopted certain amendments and additions to the General Orders in bankruptcy.

Order.

It is now here ordered by the Court that all the cases on the docket not decided, and all the other business

of the term not disposed of by the Court be, and the same are hereby, continued over to the next term of this Court.

Proclamation being made the Court is adjourned to the time and place appointed by law.

Minutes
of the
Supreme Court
of the
United States

October Term
1873

Monday October 11th 1875.

At the Capitol of the United States in the City of Washington & District of Columbia, being the present seat of the National Government of the United States on the Second Monday of October (being the Eleventh day of the same month) in the year of Our Lord One thousand eight hundred and seventy five, and of the Independence of the United States the One hundredth the Supreme Court of the United States met agreeably to law.

Present

The Honorable Morrison R. Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr W. M. Boyce it is ordered that William U. Gurand Esquire of Savannah State of Georgia be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr R. N. Hurr it is ordered that Henry J Leovy and Armand Pilot Esquires of New Orleans State of Louisiana be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr E. C. Hickey it is ordered that E. Wyatt Blanch and Esquire of Baltimore State of Maryland be admitted to practice

as an attorney and counsellor of this Court, and he was sworn accordingly

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On motion first made to the Court in this behalf by Mr. F. Philips it is ordered that William Haynes Esquire of La Crosse State of Wisconsin be admitted to practice as an attorney, and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. N. C. Ferris it is ordered that William P. Caldwell Esquire of Cincinnati State of Ohio be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. M. Corwine it is ordered that Adam H. Kramer Esquire of Cincinnati State of Ohio be admitted to prac tice as an attorney & counsellor of this Court the was sworn accordingly.

The Honorable Edwards Pierrepont produced Letters Patent from the President of the United States which were ordered to be recorded in the words and figures following to wit:

"Ulysses S. Grant.
President of the United States of America.
To all who shall see these Presents.
Greeting Know Ye that reposing special trust and confidence in the Patriotism, Integrity and Abilities of Edwards Pierrepont of New York, I do appoint him to be Attorney General of the United States; and do authorize and Empower him to Execute and fulfil the duties of that Office according to Law, and to have and to hold the said Office with all the powers privileges and emoluments thereunto of right appertaining, unto him the said Edwards Pierrepont, until the End of the next session of the Senate of the United States, and no longer

subject to the conditions prescribed by law. This Commission to take effect on the 15th day of May 1875.

In testimony whereof, I have caused these Letters to be made patent and the Seal of the United States to be hereunto affixed.

Given under my hand at the City of Washington the twenty sixth day of April in the year of our Lord One thousand Eight hundred and seventy five and of the Independence of the United States of America the ninety ninth.

U. S. Grant."

By the President:
Hamilton Fish
Secretary of State.

The United States
vs.
Appellant
The Union Pacific R.R. Co.

Mr Attorney General Pierrepont filed

and submitted to the consideration of the Court, motion to advance this cause, and assign a day for the argument of the same.

The Chief Justice announced to the Bar that the Court would commence the call of the Docket tomorrow under the 26th. rule.-

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Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday October 12. 1875.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr T. T. Crittenden it is ordered that H. C. Allsman Esquire of Philadelphia State of Pennsylvania be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.-

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Tuesday October 12th 1875 Continued.

On motion first made to the Court in this behalf by Mr P. Phillips it is ordered that W. J. Henry Esquire of Danville State of Illinois be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

The State of Florida 3 orig: bs Complainant E. C. Anderson Jr. et al.	On motion of Mr Reese it is ordered that the Clerk be, and he is hereby directed to open and place on file, the testimony taken before J. J. Daniel the Commissioner appointed by this Court in this cause

The State of Florida 3 orig: bs. Complainant E. C. Anderson Jr. et al.	Mr Reese moved the Court to assign a

day for the argument of this cause: Whereupon this Court not being now fare sufficiently advised,

of and concerning what order to render in the premises Court time to consider.

The State of Florida 3 Cong: vs. Complainant. E. C. Anderson Defdt. | On motion of Mr Bibb leave is hereby granted him to file the record referred to by D. P. Holland in his answer in this cause.

The United States 763. vs. Appellants Barbara Soto, Emila Soto, Francisca Soto, Encinacion Soto, Margarita Soto, Vicente Soto, Jesus Maria Soto, & Mariano Soto. | Mr M. Blair of counsel for the appellees having filed & read in open Court the following certificate to wit

In the District Court of the United States for the District of California.

Tuesday October 12th 1875 continued

The United States
vs
Barbara Solo, Amita
Solo, Francisca Solo,
Encarnacion Solo, Mar-
garita Solo, Vicente Solo,
Jesus Maria Solo, and
Mariano Solo.

Land
Case
No 300.
Northern
District.

I, Edward B Colby Clerk
of the District Court of the United
States for the District of California
do hereby certify, that on the 12th
day of October A D 1875, an
order was duly made & entered
by said Court in the above en-
titled case granting an appeal
on behalf of the United States to
the Supreme Court of the Unit-
ed States from the final decree
made and entered on the 14th day of
September A D 1863, by said Dis-
trict Court approving the official
survey in said case, since which
time no further proceedings have

been had thereon.

In witness whereof I have hereunto set my hand and affixed the seal of said Court at San Francisco California, the 21st day of August A.D. 1875.

(Seal)

Edwd B. Colter Clerk.

by A. D. Grunwood, Deputy Clerk.

and having stated that the appellants had altogether failed to file the record of said cause in this Court or in any way to prosecute said appeal, now here moved the Court in pursuance of the 9th Rule of this Court to have this appeal docketed and dismissed. Whereupon this Court not being now here sufficiently advised of & concerning which order to render in the premises took time to consider.

The Farmers & Mechanics National Bank of Buffalo.
502. vs. Appl in Error
Peter C. Dearing.

This cause was submitted to the consideration of the Court

on the record and printed arguments by Mr E. J. Spaulding of counsel for the plaintiff in Error and by Mr. C. P. Nichols for the defendant in Error. (under the 20th rule.)

J. D. Stanhall	This cause
503. vs Appellant	was submit
Charles H. Singer.	ted to the

consideration of the Court on the record & printed arguments by Mr M. Blair of counsel for the appellant, and by Mr Geo. F. Edmunds for the appellee, (under the 20th rule.)

The Imond & St Peter	On mo-
Railroad Company	tion of
20. vs. Plaintiff in Error.	Mr Geo.
John D. Blake et al.	F. Edmunds

leave is hereby granted him to file briefs in behalf of certain California Railroads in this cause.

336 William S. Pike vs Plff in Error. Mary A. Evans et al | Messrs Durant & Homer suggested

the death of William S. Pike, the plaintiff in Error in this cause, and moved the Court for leave to enter the appearance of Mrs Mary Ann H. Pike, widow and administratrix of William S. Pike deceased and as natural tutrix of Mary Louisa Pike, and Gertrude Dunalde Pike her minor children, and John A. Pike, Emma Cora Pike, Widow Dowell, and Mary Louisa Pike children of deceased being of lawful age, as the parties plaintiff in Error in this cause. On consideration whereof it is now here ordered that the appearance of the said Mary Ann H. Pike widow and administratrix of said William S. Pike deceased, and as natural tutrix of Mary Louisa Pike, and Gertrude Dunalde Pike her minor

children and also the appearance of John H. Pike Emma Cora Pike, Milow Dowell and Mary Louisa Pike, being children of deceased of lawful age be entered as the parties plaintiffs in Error in this cause in the place of William S. Pike deceased as aforesaid with liberty to prosecute this writ of Error.

F. D. Atherton et al. Exrs &c.
647 vs Plffs. in Error.
John Fowler et al.

and

F. D. Atherton et al. Exrs &c.
648. vs Plffs in Error,
H. Fowler et al.

On motion of Mr H. Blair Cause is hereby granted him to file certain papers to be printed with the record in these cases.

Jay Cooke & Co
275. vs Plffs. in Error.
The United States.

This cause was argued by Mr J. C. Burrill and Mr R. L. Ashhurst

of counsel for the plaintiffs in Error, and by Mr Solicitor General Phillips for the defendant in Error.

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1. George F. Kelly vs. The City of Providence | Ordered by the Court that this cause be, and the same is hereby continued to the next term. (per stipulation of counsel on file.)

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2. John R. Smith vs. Piff in Error. The United States. | On motion of Mr Solicitor General Phillips it is ordered that this cause be and the same is hereby continued to the next term.

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3. William A. James et al vs. Piffs. in Error. John C. Hale et al. | Ordered by the Court that this cause be, and the record is hereby passed for the present.

4	William J. McComb Executor &c vs. Piff in Error. The County Commissioners of Knox County Ohio	This cause was submitted to the

Consideration of the Court on the record and printed arguments by Mr N. H. Smith of counsel for the defendants in Error.

5	Richard C. Kimball &al. vs. Piffe in Error, Wm F. Evans &al.	On motion of Mr Durant in behalf of Mr T. H. Barley, it is ordered that this cause be, and the same is hereby passed for the present.

6.	Joseph A. Walker vs Piff in Error, Charles E. Sumniel.	On motion of Mr Durant it is ordered that this

cause be, and the same is hereby

passed for the present.

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7. The Keystone Bridge Co. Appellant vs The Phenix Iron Co. | Ordered by the Court that this cause be, and the same is hereby, Continued to the next term, on account of sickness & agreement of Counsel on file.

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9. The Wilmington and Weldon Railroad Company. Plff in Error vs Henry King Exr &c. | This cause was submitted to the consideration of the Court on the record and printed arguments by Mr Carlisle and Mr McPherson of Counsel for the plaintiffs in Error No counsel appearing for the defendant in Error.

Edward Matthews
11. vs Pl'ff in Error.
Nelson McStea.

The argument of this cause was commenced by Mr John Sherwood of counsel for the plaintiffs in Error and continued by Mr J. H. Ashton for the defendant in Error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday October 13. 1875

Pursuant to adjournment the Court met to day at the Capitol

Present

The Honorable Morrison R. Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr W. T. Cornell it is ordered that W. J. Coppinger Esquire of Cincinnati State of Ohio be admitted to practice as an attorney Counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Hon. William M. Evarts it is ordered that Jas. V. Brooke Esquire of Warrenton State of Virginia and D. W. Paul Esquire of St Louis State of Missouri be admitted to practice as attorneys and counsellors of this Court & they were sworn accordingly.

On motion first made to the Court in this behalf by Mr C. S. Bradley it is ordered that Horatio Rogers Esquire of Providence State of Rhode Island be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

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571 The United States vs. The Union Pacific Railroad Company

Appellant

On consideration of the motion of Mr Attorney General Pierrepont, it is ordered that

this cause be advanced and assigned for argument on the 26th instant.

10.	Edward Matthews vs Nelson McLea	Plff in Error	The argument of this cause was continued by Mr J. H. Skelton of counsel for the defendant in Error, and concluded by Mr W. M. Evarts of counsel for the plaintiff in Error.

482	C. N. Upton assignee &c vs J. D. Trulock	Plff in Error.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr C. C. Nourse of counsel for the plaintiff in Error, and by Mr George G. Wright for the defendant in Error under the 20th rule.

11.	Ophelia G Burbank, widow &c. vs. E. B. Bigelow et al. — Appellant	On motion of

Mr Durant it is ordered by the Court that this cause be, and the same is hereby passed for the present. —

12.	Geo. D Snow &c. vs. Pelf. in Error. Geo. W. Chapman Etc.	On motion of Mr W. P. Clough it is ordered

that this cause be and the same is hereby passed for the present

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13.	Peyton Grymes vs. Appellant George S. Keppler et al.	On motion of Mr Robinson it is ordered that

this cause be, and the same is hereby passed for the present.

Gideon Putnam et al 111. vs Appellants. Chas E. Bell. Cross &c	Ordered by the Court that this cause be,

and the same is hereby passed until tomorrow.

Charles Weile 16. vs. Appellant The United States.	Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and the appellant having been three times solemnly called by the Marshal to come into Court and prosecute this appeal, and failing to appear, it is thereupon on motion of Mr Assistant Attorney General Smith of counsel for the appellee now here ordered and adjudged by this Court that this cause be, and the same is hereby dismissed. - per Mr Chf Jus. Waite.

18.	The Chesapeake & Ohio Railroad Company. vs. Alff in Error. Samuel H. Early rec'd.	On motion of Mr H. Beard & Consent of counsel

it is ordered by the Court that this cause be, and the same is hereby continued until the next term.

19.	Elizabeth A. Lake. vs. Appellant Frederick Fitzgerald.	Appeal from the Circuit Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and on the stipulation of counsel for the respective parties on file it is now here ordered adjudged and

decreed by this court that this appeal be and the same is hereby dismissed with costs.

per Mr Chief Jus Waite.

Chas A. Nichols assigned &c
22 vs Appellant
Amasa M. Eaton &al.

The argument of this cause was commenced by Mr Horatio Rogers of counsel for the appellant & continued by Mr A. Payne for the appellees.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday October 14th 1875.

Pursuant to adjournment the Court met this day at the Capitol.

Present.

The Honorable Morrison R Waite Chief justice

Nathan Clifford
Noah H Swayne
Samuel F Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.

} Associate justices.

John G Nicolay Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr S. Phillips it is ordered that Thomas N. Waul Esquire of Galveston State of Texas be admitted to practice as an attorney & counsellor of this Court & he was sworn accordingly.

The United States vs. Jose Antº Estudillo, Appellant

Mr J. H. Coon of counsel for the appellee having filed and read in open Court the following certificate to wit:

"In the District Court of the United States for the District of California.

United States vs. Jose Antº Estudillo) No 233 S. D. Ranchs San Jacinto &c."

I, Edward B. Cotter Clerk of the District Court of the United States for the District of California do hereby certify that on the 18th day of March A.D. 1858, a decree was rendered by the District Court of the United States for the Southern District of California confirming the claim of the claimants herein to the Rancho "San Jacinto" to the Extent of Eight square leagues and no more; and that thereafter to wit on the 1st day of May A.D. 1862, an order was entered by the said

Court granting an appeal to the United States from the said decree to the Supreme Court of the United States, since which time no other or further proceeding appear to have been had or taken in the said cause, all of which appears from the inspection of the docket of the said District Court of the United States for the Southern District of California, and the files and records of said cause now remaining in my office.

Attest my hand and seal of said District Court of the United States for the District of California, at San Francisco this 8th day of September A.D. 1875.

Seal

Edw'd B. Cotter

Clerk.

and having stated that the appellants have altogether failed to file the record of said cause in this Court, or in anyway to prosecute said appeal now here

moved the Court in pursuance of the 9th rule of this Court to have this appeal docketed & dismissed. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

Chas A Nichols assignee &c.
22. vs. Appellant
Amasa M Eaton et al.

The argument of this cause was continued by Mr Samuel Curry of counsel for the appellees and concluded by Mr C. S. Bradley for the appellant.

Gideon Putnam et al.
14. vs. Appellants.
Charles D. Gill trustee &c.

Ordered by the Court that this cause be, and the same is hereby passed for the present.

23.	Washington Ford vs. James Swyget.	Plff. in Error.	Ordered by the Court that this cause be, and the same is hereby passed for the present.

24.	Ira Beard vs. Mary F. McComb.	Appellant	Ordered by the Court that this cause be, and the same is here by passed for the present.

25.	Francis Dunnese vs. Charles Hale.	Plff in Error.	The argument of this cause was commenced by Mr F. P. Cuppy of counsel for the plaintiff in Error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday October 15, 1875.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Thomas J. Durant it is ordered that William S. Everett Esquire of St Joseph State of Missouri be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr J. H. Bradley it is ordered that Edward J. Fox Esquire of Easton State of Pennsylvania be admitted to practice as an attorney & Counsellor of this Court and he was sworn accordingly.

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649. Daniel G. Taylor, administrator of Patrick Rogers deceased. vs. The Steamboat Commonwealth her Engines &c. | Appeal from the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and on the motion of Mr R. M. Corwine in behalf of Mr J. M. Krum of counsel for the appellant, it

is now here ordered adjudged & decreed by this Court that this appeal be, and the same is hereby dismissed with costs.

per Mr Chief Jus. Waite.

Daniel G. Taylor adm'r &c. vs. The Steamboat Commonwealth her Engines &c. — Appellant

649

On motion of Mr J. M. Krum by R. M. Corwine Esqr, it is ordered that leave be granted the Clerk to issue the Mandate in this cause.

The United States vs The Phila & Southern Mail S. Ship Co. Owners of Steamship "Juniata" — Appellant

328

The United States vs The Phila & Southern Mail S. S. Co., Owners of S. Ship "Juniata" — Appellants

329

Mr T. J. Durant filed & submitted to the consideration of the Court motion to have return to Commission issued by the

Circuit Court of the United States filed and printed as part of the record on this cause. Thereupon this Court not being now here sufficiently advised of & concerning what order to render in the premises, took time to consider.

The Chief Justice announced that the Court would not be in session on Monday next for the transaction of business; and that motions noted for that day would be heard on Tuesday.

The State of Florida Complainant.	On consideration of the motion of
3 orig. vs.	
C. C. Anderson Jr. et al.	Mr. Bis-

bee it is ordered that this cause be assigned for argument, on Wednesday the 27th inst..

25.	Francis Dainese vs. Charles Hale.	Pff. in Error.	The argument of this cause was continued by Mr H. P. Clarke of counsel for the defendant in Error and concluded by Mr S. S. Henkle for the plaintiff in Error.

26.	Edward Burgess vs. Jas. C. Hobbs assignee &c.	Pff. in Error.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr N. Myers of counsel for the defendant in Error.

27.	Thomas J. Semmes Admr &c. vs. The United States.	Pff. in Error.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr Thomas J. Semmes and Mr Robert Mott of counsel for the plaintiff in Error, and by Mr At.

torney General Pierrepont for the defendant in error.

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28. John D. M'Lemore vs. Plff. in Error. The Louisiana State Bank | This cause was submitted to the consideration of the Court on the record and printed arguments by Mr Charles B Singleton of counsel for the plaintiff in Error, and by Mr Edward Janin & Mr A. C Janin for the defendants in Error.

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29. James Brown et al. vs. Appellants Enoch Piper. | The argument of this cause was commenced by Mr Geo. Gifford of Counsel for the appellants, & continued by Mr Causten Brown for the appellee.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday October 18. 1875.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis — Associate
Stephen J. Field — Justices
William Strong
Joseph P. Bradley &
Ward Hunt.

John G. Nicolay Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. O. H. Browning it is ordered that Henry H. Gardner and C. Van Buren Esquires of Chicago State of Illinois be admitted to practice as Attorneys & Counsellors of this Court & they were sworn accordingly.

The Chief Justice announced that the Court would not proceed with the regular business of the day but adjourn for the purpose of permitting the Judges to pay their respects to the President.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday October 19th 1875.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R Waite Chief Justice.

Nathan Clifford
Noah H Swayne
Samuel F Miller
David Davis
Stephen J. Field
William Strong
Joseph P Bradley
Ward Hunt

Associate Justices.

John I Nicolay Esquire Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon J. S. Black it is ordered that C. C. Clemons Esquire of Topeka A. G. Webb Esquire of Oswego and Wilson Shannon Esquire of Lawrence State of Kansas be admitted to practice as attorneys and

Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr E. L. Stanton it is ordered that Charles Fennald Esquire of Santa Barbara State of California be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr N. H. Smith it is ordered that James K. Reding ton Esquire of Washington City District of Columbia be admitted to practice as an attorney and counsellor of this Court & he was sworn accordingly.

On motion first made to the Court in this behalf by Mr P. Phillips it is ordered that Milton Humes Esquire of Huntsville State of Alabama be admitted to practice as an attorney & counsellor of this Court & he was sworn accordingly.

The United States. 763. vs. Appellant. Barbara Solo, Anita Solo, Francisca Solo, Encarnacion Solo, Margarita Solo, Vicente Solo, Jesus Maria Solo, and Mariana Solo.

On consideration of the motion of Mr M. Blair of Counsel for the appellees in this cause it is now here ordered by the Court that this appeal from the District Court of the United States for the Southern District of California, be, and the same is hereby docketed and dismissed. And that this cause be, and the same is hereby remanded to the District Court of the United States for the District of California to be proceeded in according to law & justice.

per Mr Chief Jus. Waite.

The United States 763. vs. Appellant Barbara Solo &al.

On motion of Mr M Blair ordered that leave be granted

the Clerk to issue the mandate in this cause.

The United States 764 vs. Appellants. José Anto Estudillo.	On consideration of the motion of Mr G H.

Comm of counsel for the appellee in this cause, it is now ordered by the Court that this appeal from the District Court of the United States for the Southern District of California be, and the same is hereby dockted, and dismissed. And that this cause be, and the same is hereby remanded to the District Court of the United States for the District of California, to be proceeded in according to law and justice.

per Mr Chief Jus. Waite.

The United States 764 vs. Appellants Jose Anto. Estudillo	On motion of Mr G W. Comm Ordered that leave be granted the Clerk to issue the mandate in this cause.

The United States 328 vs. Appellants, The Phila & Southern Mail St Ship Comp'y Claims of St Ship "Juniata" and The Phila & Southern Mail S. S. Co., Claims of St Ship Juniata 329 vs. Appellant The United States	On consideration of the motion of Mr T. J. Durant it is now here ordered that he have leave to file and have printed the Return to the Commission issued by the Circuit Court in these cases, but not to be made part of the record.

Peyton Grymes 13. vs. Appellant Geo. S. Repplier & Jas Lamgard.	The death of George S Repplier,

one of the appellees in this cause having been suggested at the last term of the Court, Mr Robinson of counsel for the appellant moved the Court for an order making the personal as well as the legal representatives of the said George S. Reppier deceased as parties appellee in this cause which was opposed by Mr Stanton of counsel for the appellees: Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.-

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The State of Florida, Complainants, vs. E. C. Anderson Jr. et al | On motion of Mr L'Engle leave is hereby granted him to file the petition of John Darby for an order upon the receiver &c, and it is ordered that said petition be assigned for argument on the 27th inst, immediately preceding the argument of this Cause.

3 orig.

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45. Sarah Ann Jackson Appellant vs. Senior Jackson. — On motion of Mr Meloy and stipulation of counsel, it is ordered that the title of this cause be amended by inserting the name of Sarah Ann Dorsey in the place of Sarah Ann Jackson the appellant, said appellant having intermarried with one S. G. Dorsey.

James Pickett vs. Pl'ff. in Error, The United States. — Mr Solicitor General Phillips presented the certificate of the Clerk, and moved the Court under the 9th rule to have the writ of Error in this cause to the Supreme Court of Idaho Territory, docketed and dismissed. Whereupon this Court not being now fully advised of, & concerning what order to render in the premises took time to consider.

Antoine Piolt.
vs Plff. in Error.
The Citizens Bank of Louisiana

Mr Armand Pitot, presents a copy of the judgment of the Superior Court for the Parish of Orleans & petition for writ of error certified by the Clerk of said Court & moves the Court under the 9th rule to have the writ of error in this cause docketed and dismissed. Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

Board of Liquidation of Louisiana &al.
609 vs Appellants.
Henry S. McComb.

Mr J. A. Campbell moved the Court to advance and assign this cause for argument Whereupon this Court not being now here sufficiently advised of & concerning what order to render in the

premises took time to consider.

The 420 Mining Co. vs. Plff. in Error. The Bullion Mining Company.

Mr M. Blair presented the Record & moved the Court under the 9th rule to docket and dismiss this cause Whereupon this court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

George D. Snow, impleaded with P B Clark as Exrs of J. Gordon deceased.
12. vs. Plff. in Error, Geo. W Chapman Exr of E Chapman.

The motion of Mr W P. Clough of counsel to revive this cause in the name of Edward R Smith Executor of Geo. D Snow, was argued by Mr Clough in support of the

same, and by Mr Durant in opposition thereto. Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

The County of Lyon vs. John R Ford. | Appellant | Mr Thomas Wilson for the Appellant moved the Court to dismiss the appeal for the reason that the Certificate of the Clerk of the Court under the 9th rule to have this appeal from the Circuit Court of the United States for the District of Iowa docketed and dismissed. Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

Tuesday October 19. 1875. Continued.

The County of Lyon vs. Appellant W. S. Gilman.	Mr Thomas Wilson presented the Certificate

of the Clerk and moved the Court under the 9th rule to have this appeal from the Circuit Court of the United States for the District of Iowa docketed and dismissed Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider. —

The County of Lyon vs. Appellant William H. Phelps.	Mr Thomas Wilson presented the Certificate

of the Clerk, and moved the Court under the 9th rule to have this appeal from the Circuit Court of the United States for the District of Iowa docketed and dismissed. Whereupon this Court not being now here

sufficiently advised of, and concerning what order to render in the premises took time to consider.

Henry B. Miller Collector of Cook County &c.. Appellants
vs.
Morris K. Jesup et al.

Isaac Taylor Collector of Peoria County et al. -
702. vs. Appellants.
James F Secor et al.
and
Herman Lieb et al
703. vs. Appellants.
Henry B. Kidder et al.

Mr J K. Edsall moved the Court to advance these cases & assign a day for the argument of the same. Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

Ira G. Munn et al. 296. vs. Plffs. in Error. The People of the State of Illinois	On motion of Mr J. K. Edsall in behalf of Counsel it

is ordered that this cause be substituted for No 71. and argued when that cause is reached, and vice versa.

The State of Wisconsin Orig. vs. Comp.[lainant] The City of Dubuque et al.	Mr J. K. Edsall in behalf of the Attorney General of Wisconsin by leave of the Court filed motion for a rule on the defendants to compel them to answer to the bill of complaint in this cause, within some certain time to be fixed by the Court: Whereupon this Court not being now here sufficiently advised of & concerning what order to render in the premises took time to consider.

Tuesday October 19. 1875. continued

29	James Brown ebal. vs. Enoch Piper. Appellants	The argument of this cause was continued by Mr C Browne of counsel for the appellee and concluded by Mr George Gifford for the appellant.

30.	Enoch Piper vs. Geo. T. Moon ebal Appellant	The argument of this cause was commenced by Mr Causten Browne of counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday October 20. 1875.

Pursuant to adjournment, the Court met to day at the Capitol.

Present.

The Honorable Morrison R Waite Chief Justice

Nathan Clifford
Noah H Swayne
Samuel F Miller
David Davis
Stephen J Field
William Strong
Joseph P Bradley
Ward Hunt

Associate Justices.

John C Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr J. J. Storrow it is ordered that Benjamin H. Brooks Esquire of Boston State of Massachusetts be admitted to practice as an attorney & counsellor of this Court & he was sworn accordingly.

Francis S. Cardoza State Treasurer vs. Piff in Error. The State of South Carolina ex rel P. F. Frazee	Mr. P. Phillips presented the record of the Supreme Court of the State of South Carolina in this cause with writ of Error attached, and moved the Court under the 9th rule to have the writ of Error in this cause docketed and dismissed. Whereupon this Court not being sufficiently advised of and concerning what order to render in the premises took time to consider.

Brief Paper 30 vs. Appellant, Geo. F. Bloomstal	The argument of this cause was continued by Mr Carleton Browne of counsel for the appellant, by Mr George Gifford of counsel for the appellee, and

Concluded by Mr Browne for the appellant.

The Lawrenceville Lawrence and Galveston R. R. Co.
401. vs. Appellants,
The United States.
&
The Missouri Kansas and Texas R. R. Co.
471. vs. Appellants.
The United States.

On the application of Counsel it ordered by the Court that two hours and thirty-five minutes additional time be allowed each side in the argument of these cases.

The L. L. & G. R. R. Co
401 vs Appellant
The United States
&
The M. K. & T. R. R. Co.
471. vs Appellants,
The United States.

The argument of these cases was Commenced by Mr. T. Phillips of counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday October 21. 1875.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.

} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr P. Phillips it is ordered that Rufus E. Lester Esquire of Savannah State of Georgia be admitted to practice as an attorney & counsellor of this Court & he was sworn accordingly.

G. D. Stuckalt 3113. vs Plff. in Error. Chas. W. Sanger.	On motion of Mr Chester leave is hereby granted him

to file motion for leave to file brief in this cause. Whereupon this Court not being now here sufficiently advised of & concerning what order to render in the premises but time to consider.

The State of Louisiana & rel J. L. Macauley. 0874. Vs. Plff. in Error. Charles Clinton, Auditor of Public accounts of the State of Louisiana	On motion of Mr Durant leave is hereby granted him to file motion to

dismiss the writ of Error in this cause.

The Leavenworth, Lawrence & Galveston Railroad Co
401. vs. Appellants
The United States.

and

The Missouri Kansas and Texas Railroad Co.
471. vs. Appellants
The United States.

The argument of these cases was continued by Mr P. Phillips of Counsel for the appellants, by Mr Solicitor General Phillips of counsel for the United States and by Mr William Lawrence and Mr J. S. Black in behalf of parties claiming under the U.S.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday October 22. 1875.

Pursuant to adjournment the Court met to day at the Capitol

Present.

The Honorable Morrison R. Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.

} Associate Justices

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr S. U. Pinney it is ordered that Harlow L. Comstock Esquire of Canandaigua State of New York be admitted to practice as an attorney & counsellor of this Court & he was sworn accordingly:-

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Friday October 22nd 1875. Continued.

Angelina Amory &c. Appellant. Samuel B Amory	Mr S U. Penney pre sented the certificate

of the Clerk, and moved the Court under the 4th rule to have this appeal from the Circuit Court of the United States for the Eastern District of Wisconsin docketed and dismissed. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

The Pittsburg & Ohio R.R. Co vs. Plff. in Error. Oden Bowie.	Mr. Merrick, present ed the

certificate of the Clerk and moved the Court under the 9th rule to have the writ of Error in this cause from the Supreme Court of the District of Columbia docketed and dismissed. Whereupon this

Court not being now here sufficiently advised of and concerning what order to render in the premises) took time to consider.

The Leavenworth Lawrence & Galveston Railroad Co
1401 vs. Appellants
The United States
and
The Missouri Kansas & Texas Railroad Co.
1171 vs. Appellants
The United States.

The argument of this cause was continued by Mr F. S. Block in behalf of the settlers claiming under the U. S. & concluded by Mr George F. Edmunds of Counsel for the appellees.

Friday October 22d 1875, Continued.

The Leavenworth Lawrence and Galveston Railroad Co.	Leave granted
401. vs. Appellant,	Mr Lawrence
The United States.	to file
and	supplemental
The Missouri Kansas	brief
and Texas Railroad Co.	in this
471. vs Appellants,	cause
The United States.	

and also leave to Mr Edmunds to file reply thereto.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday October 25. 1875.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon Matt H. Carpenter it is ordered that L. S. Dixon Esquire of Milwaukee State of Wisconsin be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr P. Phillips it is ordered that Thomas L Bayne Esquire of New Orleans State of Louisiana be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr W. H. Smith it is ordered that Thomas Covington Hoddward Esquire of Washington City District of Columbia be admitted to practice as an attorney & counsellor of this Court & he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Solicitor General Phillips it is ordered that Thomas Simmons Esquire of New York City State of New York be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Monday October 25, 1875. Continued

Francis Dunnese 25. vs Pff. in Error. Charles Hale. Columbia.	In Error to the Supreme Court of the District of

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court with directions to allow the defendant to amend the plea on payment of costs.

per Mr Justice Bradley.

Edward Matthews 10. vs. Piff in Error. Nelson McStea.	In Error to the Court of Common Pleas for the City and County of New York.

This cause came on to be heard on the transcript of the record from the Court of Common Pleas for the City and County of New York, being possessed of the record and proceedings upon a remittitur from the Court of Appeals of the State of New York, and was argued by Counsel. On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Court of Common Pleas in this cause be, and the same is hereby affirmed with Costs.

per Mr Justice Strong.

The Wilmington and Weldon Railroad Co vs. Pitt in Error. Henry King Executor of Hardy King dec'd North Carolina

In Error to the Supreme Court of the State of

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of North Carolina and was argued by counsel On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court for further proceedings to be had therein in conformity with the opinion of this Court.

Dissenting } per Mr Jus. Field.
Mr Jus Bradley }

28	John D. McLemore vs Plff. in Error, The Louisiana State Bank	In Error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Davis.

502	The Farmers & Mechanics National Bank of Buffalo vs Plff in Error, Peter C. Dearing.	In Error to the Court of Appeals of the State of New York.

This cause came on to be heard

on the transcript of the record from the Court of Appeals of the State of New York, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Court of Appeals for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr Jus. Swayne.

Thomas J. Simmons
Claimant of Six lots of ground.
vs
The United States.

In Error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the

Circuit Court of the United States for the District of Louisiana, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed.

per Mr Jus Clifford

William J. McComb Survg. Exr. of Robert McComb decd. H. vs. Pfff in Error. The County Commissioners of Knox County Ohio

In Error to the Court of Common Pleas for the County of Rich-

land State of Ohio.

This cause came on to be heard on the transcript of the record from the Court of Common Pleas for the County of Richland State of Ohio, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged

by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs.

per Mr Chief Jus Waite.

Edward Burgess
26 bs. Plff. in Error.
James C Babbitt
Assignee of E. Miller
a bankrupt.

In Error to the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Chf Jus Waite.

The 420 Mining Company vs The Billion Mining Co. | Plff in Error. | On consideration of the motion of Mr McBlair to docket and dismiss this cause, and upon examination of the record presented it does not appear from the papers filed herein that any writ of Error has ever been brought in this cause. For that reason the motion to docket and dismiss is denied, without prejudice to its renewal in case such writ has been allowed and sued out.

per Mr Chf Jus Waite.

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13. Peyton Grymes vs Geo. S. Reppier and James Lanigan | Appellant. | On consideration of the motion of Mr C. Robinson it is ordered that Dallas Sanders the personal representative of George S. Reppier deceased be admitted as a party,

appellee in this suit.

And it is further ordered upon the motion of Mr C. Robinson of Counsel for the appellant and on pursuance of the 15th rule that unless the representatives of the realty of the deceased shall become parties within the first ten days of the ensuing term of this Court, the appellant shall be entitled to open the record and on hearing have this cause reversed as to them if it be erroneous. provided however that a copy of this order shall be printed in some newspaper at the Seat of Government in which the laws of the United States shall be printed by authority for three successive weeks at least sixty days before the beginning of the term of the Supreme Court next ensuing

per Mr Chief Justice Waite.

	Geo D. Snow impleaded with P. B. Clark, as Executor of J. Gordon deceased.	Motion to revive this cause in the name of George R. Smith Executor
12.	vs. Pltff. in Error.	
	Geo. W. Chapman Executor of E. Chapman.	

of Geo D. Snow deceased.)

The judgment in this cause was rendered against George D. Snow in his individual capacity and not as Executor of the will of John Gordon. It should therefore be revived in the name of his Executor, and the motion herein to that effect is granted.

Per Mr Chief Jus. Waite.

	The Board of Liquidation of Louisiana et al.	(On consideration of the motion
609.	vs. Appellants,	
	Henry S. McComb.	

Mr J. A. Campbell it is ordered.)

that this cause be advanced upon the authority of section 949 Rev Stat. and the rule established in U. S. vs Fossatt 21 How. 445. If the parties cannot agree upon the time at which the cause shall be set down for argument the Court will upon their application make such order as may be necessary.

per Mr Chief Jus. Waite.

	Henry B. Miller & al.	On consideration of the motion of Mr J. K Ed- dall it is ordered that these Cases be advanced
701.	vs Appellant.	
	Morris K. Jessup & al.	
	Jane Taylor Collins & al.	
702	vs. Appellants.	
	James F. Scott & al.	
	and	
	Herman Lieb & al.	
703	vs Appellants.	
	Henry B. Ridder & al.	

under the provisions of 949 Rev Stat. If the parties cannot agree

upon the hearing the cause shall be set down for argument the Court will on application make such further order in the premises as shall appear proper.

per Mr Chf Jus Waite.

The Baltimore & Ohio Railroad Company.	Mr R. J. Merrick of counsel for the defendant.
810 vs Plff in Error.	
Oden Bowie	

in Error having filed and read in open court the following certificate to wit:

"In the Supreme Court of the District of Columbia.

October 20. 1875.

Oden Bowie vs Plaintiff.	At Law No 6472.
The Baltimore & Ohio Railroad Co.	

I Return J. Meigs Clerk of the said Supreme Court, do hereby certify that on the said

7th day of November A.D. 1874. a
judgment was entered in the
above case against the defendant
on a verdict of a jury for the sum
of Ten Thousand dollars with in-
terest thereon from June 4. 1874.
the day of entering the verdict, from
which the defendant by its attor-
neys did on the Eleventh day of
November A.D. 1874. sue out a
writ of Error to the Supreme Court
of the United States, and the same
was allowed.

In witness whereof, I
have hereto set my hand
and affixed the seal of said
Court this 20th day of October
A.D. 1875.

R. J. Meigs
Clerk."

and having stated that the plaint-
iff in Error had altogether failed to
file the record of said cause in this
Court or in anyway to prosecute
said writ of Error, now here moved

the Court on pronunciation of the 9th Rule of this Court to have the writ of Error in this cause docketed and dismissed. On consideration whereof it is now here ordered and adjudged by this Court that the writ of Error in this cause to the Supreme Court of the District of Columbia, be and the same is hereby docketed and dismissed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court to be proceeded in according to law and justice.

per Mr Chf Jus. Waite.

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801. The County of Lyon, Appellant, vs John R. Ford. | Mr Thomas Nelson of Counsel

for the appellee having filed, and read in open Court the following certificate to wit:

"Circuit Court of the United States

District of Iowa.

I, George B. Corkhill Clerk of said Court for said District do hereby certify that in the case of the County of Lyon against John R. Ford said Court did on the 20th day of May 1875. render a decree dismissing said County of Lyons Bill of Complaint from which decree said complainant prayed an appeal on said 20th day of May 1875, which appeal was allowed by said Court and the penalty of the appeal Bond fixed at $300.

In testimony whereof I hereto subscribe my name & affix the seal of said Court at my office in Des Moines in said District this 20th day of September A.D. 1875.

Seal

Geo. B. Corkhill
Clerk U.S. Dist Court
of Iowa.
By E.R. Mason. Deputy."

and having stated that the appellant had altogether failed to file the record of said cause in this Court, or in anyway to prosecute said appeal. Now here moved the Court in pursuance of the 9th rule of this Court to have this appeal docketed and dismissed. On consideration whereof it is now here ordered and adjudged by this Court that this appeal from the Circuit Court of the United States for the District of Iowa be, and the same is hereby docketed and dismissed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law & justice.

per Mr Chf Jus Waite.

Monday October 25, 1875, continued.

802. The County of Lyon vs. H. S. Gilman. Appellant

Mr Thomas Wilson of Counsel for the

appellee having filed and read in open Court the following certificate to wit:

"The Circuit Court of the United States, District of Iowa.

I, George B. Corkhill Clerk of said Court for said District do hereby certify that in the case of the County of Lyon, State of Iowa, against H. S. Gilman a decree was rendered against the said County of Lyon, dismissing the Bill on the 20th day of May A.D. 1875, from which decree said Complainant on said 20th day of May 1875 prayed an appeal to the Supreme Court of the United States. Which said appeal was allowed, and the penalty of the appeal Bond was fixed by the Court at $500.-

In testimony whereof, I have hereunto subscribe my name and affix the seal of said Court at my office in Des Moines in said District this 20th day of September, A.D. 1875.

Seal

Geo. B. Corkhill
Clerk U.S.C.C.
Dist of Iowa,
by E.R. Mason, depty."

and having stated that the appellant had altogether failed to file the record of said cause in this Court, or in anyway to prosecute said appeal, now had moved the Court in pursuance of the 9th rule of this Court to have this appeal docketed and dismissed On consideration whereof, it is now here ordered and adjudged by this Court that this appeal from the Circuit Court of the United States for the District of Iowa be, and the same is hereby

docketed and dismissed with costs and that this cause be, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr Chf Jus Waite

The County of Lyon		Mr Thomas Nelson of Counsel for the appellee
803. vs.	Appellant	
Willard W. Phelps.		

having filed and read in open court the following certificate to wit: "Circuit Court of the United States. District of Iowa.

I George B. Corkhill Clerk of said Court for said District, do hereby certify that in the case of the County of Lyon Complainants against Willard W. Phillips Respondents said Court did on the 20th day of May 1870, render a decree dismissing said Complainants bill of complaint from which decree said complainants did on the said 20th day

of May A. D. 1875, pray an appeal to the Supreme Court of the United States, which appeal was allowed, and penalty of appeal bond fixed at $500.

In testimony whereof, I hereto subscribe my name and affix the seal of said Court at my office in Des Moines this 20th day of September A. D. 1875.

Seal

Jno. D. Corkhill
Clerk U. S. Dist. Court of Iowa.
by E. R. Mason, deputy."

and having stated that the appellant had altogether failed to file the record of said cause in this Court or in anyway to prosecute said appeal, now here moved the Court in pursuance of the 9th rule of this court to have this appeal docketed & dismissed. On consideration whereof it is now here ordered and adjudged by this court that this appeal from

the Circuit Court of the United States for the District of Iowa, be, and the same is hereby dock-ded and dismissed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court to be proceed-ed in according to law & justice.

per Mr Ch. Jus. Waite.

Angelina Amory
804. vs. Appellant
Samuel P. Amory &
John Amory Exrs.
of James Amory dec'd
Samuel P. Amory and
John Amory.

Mr S. U. Pinney of Counsel for the appellees having filed and read in open Court the following certificate to wit:

"United States of America
Eastern District of Wisconsin.

I Edward Kurtz Clerk of the Circuit Court of the United States for the Eastern District of Wisconsin do hereby certify that in a

certain cause pending in said Court on the equity side thereof wherein Angeline Amory was complainant & Samuel B Amory and John Amory as Executors of the last will & testament of James Amory deceased & Samuel B. Amory and John Amory were defendants; at the July Term of said Court held at the City of Osh Kosh in said District on the second Tuesday of July A. D. 1874. on the 6th day of said Term, to wit, on the 30th day of July A. D. 1874. a final decree in said cause was duly made and entered by said Court in the words and figures following to wit:

Angelina Amory
v.
Samuel B. Amory, & John Amory Exrs &c.

Before the Hon David Davis Thomas Drummond Judges.

This case coming on to be heard, on the pleadings & proofs & Evidence and having been argued by counsel of the respective parties & the Court

being now sufficiently advised doth order adjudge and decree that the bill be dismissed for want of Equity and that the defendants recover their costs herein to be taxed.

And I do further certify that an appeal from said decree by said complainants was duly allowed, and was perfected on the 26th day of October, A.D., 1874.

Given under my hand and the seal of said Court at Milwaukee in said District this Sixteenth day of October A.D. 1875.

Seal

Edward Kurtz
Clerk U.S. Circuit
Court for the Eastern
District of Wisconsin."

and having stated that the appellant had altogether failed to file the record of said cause in this court or in anyway to prosecute said appeal, now here moved the Court in pursuance of the 9th

rule of this court to have this appeal docketed and dismissed. On consideration whereof it is now here ordered and adjudged by this Court that this appeal from the Circuit Court of the United States for the Eastern District of Wisconsin be, and the same is hereby docketed and dismissed with Costs. And that this cause be, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr Chf Jus. Waite.

Francis J. Cardoza
State Treasurer.
816. -vs- Pff. in Error.
The State of South
Carolina & rel Thomas
F. Frazer.

Mr P. Phillips of counsel for the defendant in Error having filed a transcript of the record of this cause duly certified by the

Clerk under the seal of the Supreme Court of the State of South Carolina, and having stated that the plaintiff in Error had altogether failed to file the record of said cause in this Court, or in anyway to prosecute said writ of error, Now here moved the Court in pursuance of the 9th rule of this Court to have the writ of error in this cause docketed and dismissed. On consideration whereof it is now here ordered and adjudged by this Court that the writ of error in this cause to the Supreme Court of the State of South Carolina, be and the same is hereby docketed & dismissed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court to be proceeded in according to law and justice.

per Mr Chief Jus Waite.

James Pickell
vs Piff in Error
The United States.

On consideration of the motion of the Solicitor General Phillips and it appearing that the cause was docketed and the record thereof filed with the Clerk of this Court on the 4th day of the present month the motion of the defendant in error to docket and dismiss is overruled.

per Mr Chf Jus. Waite.

G. D. Newhall
503. vs. Piff in Error.
Charles N. Sanger

On consideration of the suggestion of Mr A Charles in open Court that this cause involves a matter of general public interest, and that he is Counsel for parties in other cases now pending in other Provincial Tribunals, established under authority of the

United States, the determination of which will depend upon the judgment of the Court herein, & the cause having been submitted to the Court under rule 20; leave is granted him on his motion to file a printed argument in behalf of the appellants at any time before the 22d day of November next, he at the same time furnishing a copy thereof to the Counsel of appellee.

per Mr Chf Jus. Waite.

Amendment to Rule 7.

To take effect from the first day of the present term.

Add as paragraph 3.

The Clerk shall deposit in the Law Library to be there carefully preserved, one copy of the printed record, in every case submitted to the Court for its consideration, and of all printed motions, briefs or arguments filed therein.

The United States vs. Appellants. Joel G. Dean & Robert Dean Burrill as Wm. Dean & Company.	Mr C. F. Peck, presented the certificate of the Clerk and moved,

the Court under the 9th rule to have this appeal from the Court of Claims docketed & dismissed, Whereupon this Court not being now here sufficiently advised, of and concerning what order to make in the premises, took time to consider.

The State of Florida Complainant, vs. E. C. Anderson Jr. et al.	Mr M. A. Carpenter, of counsel for Holland

3 orig: in this cause by leave of the Court filed - 1st Motion to dismiss the bill for want of parties. 2nd Motion to Enlarge the time for final hearing, and 3rd Motion for time to take testimony.

W. F. Drake 193 vs. Pltff in Error. The Exchange and Deposit Bank of Knoxville.	Mr Solicitor General Phillips filed motion for an order requiring the plaintiff in Error, to justify sureties on his supersedeas bond in this cause

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The State of Wisconsin Comp'l vs. Complainant The City of Duluth et al	Mr Sloan filed affidavit and motion

to enter a decree pro confesso against the Northern Pacific Railroad Company in this cause. Whereupon this Court not being now here sufficiently advised of & concerning what order to render in the premises took time to consider.

The State of Wisconsin ex rel. Complainant, vs. The City of Duluth et al

Mr Sloan filed motion for leave to file replication to answer of defendant, and also for an order allowing the parties to take testimony &c. Thereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.-

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214. Wm F. Peck et al. vs. The Chicago & North western Railway Co and Dewitt C. Lawrence et al vs. George H. Paul et al

235. Appellants

Mr Sloan filed motion to advance these Cases. Thereupon on this Court not being now here sufficiently advised of and concerning what

rder to render in the premises
ook time to consider.

The State of Florida 3 Eng: Cs Complainant C. C. Thurman Jr. et al	Mr Peck in behalf of Mr McFar-

land filed motion to discontinue the case of G. M. Bousevain, A. Sloop, J. Brooks, and N. J. Dew Sr. against The State of Florida.

The Venona & St Peter Railroad Company. 20 Cs Riff in Error. John D. Blake et al	On mo- tion of Counsel one hour addition.

al time granted counsel on each side in the argument of this cause.

Monday October 25. 1875. Continued.

20.	The Winona & St Peter Railroad Company vs Peff in Error. John P. Blake et al	Argument of this cause unanimously, by Mr B. C. Cook of Counsel for the plaintiff in Error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday October 26. 1875.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

Wm. F. Pickett et al.	On consideration of the motion of Mr Sloan it is ordered that these cases
311. vs. Appellants.	
The Chicago & North-western Railway Co.	
Dewitt C. Laurence et al.	
735. vs. Appellants	
Geo. H. Paul et al.	

be advanced and assigned for argument, immediately after the conclusion of the argument in No 3 original

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552. The Chicago Burlington and Quincy Railroad Co. vs. Appellants. M. E. Cutts, Attorney General et al. -

On motion of Mr C. H. Browning it is ordered that this case be advanced & assigned for argument on such day as Counsel may agree upon, not later than the first Monday in January next.

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589. L. D. Stone vs. Aff. in Error, The State of Wisconsin.

On motion of Mr Carey it is ordered that this cause be advanced and assigned for argument with No 214 & 235.

Tuesday October 26. 1875. Continued.

The Winona & St Peter Railroad Company .. 20 Wis. Reps. in Error. John G. Blake et al.	The argument of this cause was continued by Mr H. P. Clough of counsel for the defendants in Error, & concluded by Mr C. B. Lawrence for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday October 27, 1875.

Pursuant to adjournment the Court met to day at the Capitol

Present.

The Honorable Morrison R. Waite Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis — Associate
Stephen J. Field — Justices
William Strong
Joseph P. Bradley
Ward Hunt.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr E. W. Houghton it is ordered that Edwin Thayer Esquire of Buffalo State of New York be admitted to practice as an attorney & counsellor of this Court & he was sworn accordingly

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On motion first made to the Court in this behalf, by Mr J. H. Ashton it is ordered that Thomas G. Berry Esquire of New York City be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Chicago Milwaukee and St Paul Railway Co. vs Pfff in Error. Henry M. Ackley et al.	On motion of Mr J. W. Carey it is ordered that this cause be advanced and assigned for argument with Nos. 214 & 235.

387

The State of Florida Complainant vs C. C. Anderson Jr. et al.	On consideration of the motion filed by Mr Carpenter to extend the time for the final hearing of this cause, it is now here ordered by the Court that said motion be and the same

3 orig. bs

is hereby denied.

The State of Florida ex rel. Complainant
vs
E. C. Knowlton Jr. et al.

Mr Carpenter by leave of the Court filed, certified copy of judgments &c. in this cause.-

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The 420 Mining Co. vs Plff in Error.
The Bullion Mining Co.

Mr Blair presented the record (with writ of Error attached) from the Supreme Court of the State of Nevada and moved the Court under the 4th rule to hand the writ of Error in this cause docketed and dismissed. Whereupon this Court not being now here sufficiently advised of & concerning what order to render in the premises took time to consider.-

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Wednesday October 27. 1875 Contd.

The United States 5/1 vs. Appellants. The Union Pacific Railroad Company	(assigned) This cause was argued by Mr Attor- ney General

Pierrepont of counsel for the appellants, and by Mr Seaney Bartlett & Mr E W Stoughton of counsel for the appellees.

The State of Florida 3 orig. Complainant F.C. Anderson Jr. et al.	The petition of John Darby

in this cause was argued by Mr E.M. L'Engle, in support of the same. Whereupon this Court not being now fully sufficiently advised of and concerning what order to render in the premises took time to consider.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday October 28. 1875.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt

} Associate Justices.

John G. Nicolay Esqr. Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

The State of Florida Complainant. vs. C. C. Anderson Jr. et al. Defendants.

On consideration of the petition of John Darey filed herein, and of the argument of counsel thereupon had in support of the same, it is

ordered that the Receiver in this cause return to F. B. Papy Esq^r, Trustee, any moneys received by him from said Papy, on account of the earnings of the cars, in the petition mentioned previous to his appointment and also pay to said Papy a fair and reasonable compensation for the use of said cars during the time the same have been in his possession and used by him.

It is also further ordered that he restore the said cars to the possession of the party or parties from whom he received them with full authority on his part, however to make such contract for the use thereof during the remainder of his receivership as to him shall seem best under the circumstances.

per Mr Chief Justice Waite.

The United States
328. vs. Appellants.
The Phil'a & Southern
Mail Steamship Co. -
Claim of St Ship Juniata.

and

The Phila & Southern
Mail St Ship Co. Claim
of Steamship "Juniata"
329. vs. Appellants
The United States.

Mr J. J. Dimmick
by leave of the
Court filed and
submitted to the
consideration of
the Court, motion
to have the depo
sition of Dan
el C. Holliday,
made part of
the record in
this cause.

Whereupon this Court not being
now here sufficiently advised
of, and concerning what order
to render in the premises took
time to consider.

William F. Refo et al.
211. vs. Appellants
The Chicago & North-Western Railway Co. et al.

Dewitt C. Lawrence et al
235. vs. Appellants
George H. Paul et al.

The Chicago Milwaukee & St Paul Railway Co.
587 vs. Plff in Error.
Henry M. McKay et al

&

L. D. Stone
589 vs. Plff. in Error
The State of Wisconsin

On motion of Mr W. M. Evarts it is ordered that two hours be allowed the Counsel on each side in the argument of these Cases.

The State of Florida
vs. Complainants
E. C. Anderson Jr. et al

On motion of Mr Carpenter it is ordered that he be allowed 30 Minutes additional time in the argument of this cause.

Thursday October 28. 1875. Continued

The State of Florida
Jorg: vs. Complainant
E. C. Anderson Jr. Defdt.

The argument of this Cause was commenced by Mr H. Bisbee jr. of Counsel for the complainant, & Continued by Mr H. R. Jackson for the Respondents.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday October 29. 1875.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon Matt H. Carpenter it is ordered that Francis J. Lippitt Esquire of Washington City District of Columbia be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

M. T. Slaughter and Evelina J. Slaughter. vs. Appellants. James M. Glenn et al. Exrs of Joseph Glenn dec'd. | Mr Dunton for Corwine presented the Certificate of the Clerk

and moved the Court under the 4th rule to have this appeal from the Circuit Court of the United States for the Western District of Texas docketed and dismissed. Whereupon this Court not being now here sufficiently advised of & concerning what order to render in the premises took time to consider.

The State of Florida Complainant. vs. E. C. Anderson Jr. et al. | The argument of this cause was continued by Mr M. St Carpenter of Counsel for Daniel P Holland one of the respondents, by Mr W. W. Boyce of Counsel for the respondents, & concluded by Mr A. Bisbee jr for the Complainant.

Wm F. Peck et al
211 vs Appellants
The Chicago & North Western Railway Co.

Dewitt C Lawrence et al.
236 vs. Appellants.
George H. Paul et al.

The Chicago Milwaukee & St Paul Railroad Co.
387 vs. Plff in Error
Henry M. Atkley et al.

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and

S. D Stone.
389 vs Plff in Error
The State of Wisconsin

The argument of these cases was commenced by Mr B C Cook & continued by Mr C. B. Lawrence of Counsel for the appellants in Nos 214 & 235. —

Proclamation being made the Court adjourned until Monday next at twelve o'clock.

Monday November 1. 1875.

Pursuant to adjournment, the Court met to day at the Capitol.

Present.

The Honorable Morrison R Waite Chief justice

Nathan Clifford
Noah H Swayne
Samuel F. Miller
David Davis — Associate
Stephen J. Field — Justices
William Strong
Joseph P. Bradley
Ward Hunt.

John G. Nicolay Esqure. Marshal.
Daniel Wesley Middleton Clerk.,

Proclamation being made the Court is opened.

C. H. Upton assignee of the Great Western Insurance Co. a bankrupt, Plff. in Error
vs
J. D. Trieleaf.

In Error to the Circuit Court of the United States for the

482.

District of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs - And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to award a new trial.

Dissenting. Per Mr Jus. Hunt.
Mr Jus. Miller
Ch. Jus. Waite
Jus. Bradley.

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15. The National Bank of Commerce of Boston State of Massachusetts. vs. Plff in Error.
The Merchants National Bank of Memphis Tennessee

In Error to the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs and that this cause be, and the same is hereby remanded to the said Circuit Court with directions to award a new trial

per Mr Justice Strong.

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29. James Brown and William Seavey vs. Enoch Piper. Appellants. Appeal from the Circuit Court of the United States for the District of Massachusetts

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This cause came on to be heard on the transcript of the record

from the Circuit Court of the United States for the District of Massachusetts and was argued by counsel On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs - And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to dismiss the bill. Per Mr Justice Swayne.

Enoch Piper
30 vs. Appellant
George J Moon George S. Lamphear, P. Benjamin T. Nash, Jun. & William Comstock, James C. Comstock, Thomas R. Crocker, called Hawley, H Comstock

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record

from the Circuit Court of the United States for the Southern District of New York, and was argued by Counsel On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with Costs.

per Mr Jus. Swayne.

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800. The Balto & Ohio R.R.Co. Pltff. in Error, vs. Odell Bowie. Mr W.S. Cox having suggested to the Court that the plaintiff in Error was prepared to file the record and have its cause docketed pursuant to the rules of this court, moved the Court to rescind and annul the order entered on the 25 ulto, docketing & dismissing this writ of Error. On consideration whereof it is

now here ordered by the Court that the order of the 25th ultimo, docketing and dismissing this writ of Error be and the same is hereby reversed and annulled, and that the plaintiff in Error have leave to file its cause and have the same docketed, in conformity to the rules of this Court upon payment of costs.

per Mr Chf Jus. Waite.

The H.O. Mining Co. Plff in Error
819. vs.
The Bullion Mining Co.

Mr McClair of Counsel for defendant in Error having filed a transcript of the record of this cause duly certified by the Clerk, under the seal of the Supreme Court of the State of Nevada, and having stated that the plaintiff in Error had altogether failed to file the record of said cause in this Court, or in any way to prosecute said writ

of Error, now here moved the Court in pursuance of the 4th rule of this Court to have the writ of Error in this cause docketed and dismissed. On consideration whereof it is now here ordered and adjudged by this Court that the writ of Error in this cause to the Supreme Court of the State of Nevada be and the same is hereby docketed and dismissed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court to be proceeded in according to law and justice.

per Mr Chf Jus Waite

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820. — M. C. F. Slaughter, and Evelina J. Slaughter, vs. James M. Glenn, Richard Dymond, and Jacob Eversay, Executors of Joseph Glenn deceased. — Appellants.

Mr Dunnison Counsel for the appellees having filed and

filed in open Court the following certificate to wit:

"In the Circuit Court of the United States for the Western District of Texas

I W. C. Robards, Clerk of the said Circuit Court do hereby certify that in the case of James M. Glenn, Richard Dymond, and Jacob Eberhal Executors of the last will & testament of Joseph Glenn deceased vs. M. T. Slaughter and Erlind J. Slaughter in Chancery in said Court, the land in controversy in said cause, was on to wit, the 21st day of May A.D. 1875, adjudged to the complainants, the Executors of the said Joseph Glenn deceased. And I do further certify that said cause was appealed to the Supreme Court of the United States, and the transcript of the records of said Circuit Court was forwarded to said Supreme Court on to wit: the 21st day of August A.D. 1875.

In testimony whereof I

hereunto set my hand and affix
the seal of said Circuit
Court at Tyler Texas
this 22d day of October
A.D. 1875.

Seal

W. C. Kobards
Clerk U.S.C.C."

and having stated that the appellants had altogether failed to file the record of said cause in this Court, or in anyway to prosecute said appeal now here moved the Court in pursuance of the 9th rule of this Court to have this appeal docketed and dismissed On Consideration whereof it is now here ordered and adjudged and decreed by this Court that this appeal from the Circuit Court of the United States for the Western District of Texas, be and the same is hereby docketed & dismissed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court

to be proceeded in according to law and justice.

per Mr Chief Jus Waite.

The United States
vs
Joel Dean & Robert Dean Burrell as- William Dean & Co.

(In consideration of the certificate filed by Mr C. F. Peck of counsel for the appellees in this cause, which certificate is in the words and figures following to wit.

In the United States Court of Claims
December Term 1874

Joel Dean and Robert Dean Burrell comprising the firm of William Dean & Company.
vs
The United States. } No 2724

I certify that on the Eighth day of February A.D. 1875, judgment was rendered by the Court of Claims in favor of Joel Dean & Robert

Dean Burrill comprising the firm of William Dean & Company in the sum of Fifty three thousand four hundred and seventy five dollars and sixty five cents ($53,475 65/100) as being the nett proceeds of three hundred and five bales of cotton at $175 33/100 per bale.

I certify further that on the 8th day of May A.D. 1875, an application for the allowance of an appeal to the Supreme Court of the United States was filed by the defendants in the Clerk's office of said Court of Claims, and I further certify that it does not appear from the journal of said Court of Claims, that said application has as yet been presented, in open court for allowance, nor has the same been allowed, by the Chief Justice of said Court in vacation to this date to wit, October 18. A.D. 1875.

In testimony whereof I

hereto set my hand & affix the seal of said Court of Claims this 15th day of October 1875.

Seal

John Randolph
Assistant Clerk,
Court of Claims."

and it appearing to the Court that no appeal has been allowed by the Court of Claims, it is now here ordered that the motion to docket and dismiss be, and the same is hereby denied.

per Mr Chf Jus Waite.

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821 Antoine Piot vs Plff in Error. The Citizens Bank of Louisiana.

Mr Armand Pi-tot of counsel for the defendant in Error, in this cause having filed a transcript of the judgment, petition for writ of Error, and writ of error, duly certified by the Clerk, under the seal of the Superior District Court for the Parish of Orleans,

and having stated that the plaintiffs in Error had altogether failed to file the record of said cause in this Court or in anyway to prosecute said writ of Error, now here moved the Court in pursuance of the 9th Rule of this Court to have the writ of Error in this cause docketed and dismissed. On consideration whereof it is now here ordered and adjudged by this Court that the writ of Error in this cause to the Superior District Court for the Parish of Orleans State of Louisiana, be, and the same is hereby docketed and dismissed with costs - And that this cause be, and the same is hereby remanded to the said Superior District Court, to be proceeded in according to Law & Justice.

per Mr Chf Jus Waite.

328 The United States vs. Appellants
The Phil & Southern Mail S. Ship Co - Owners of Steamship "Juniata"

and

329 The Phil & Southern Mail S. S. Co. Owners of S. Ship "Juniata" vs Appellants
The United States

On consideration of the motion of Mr T. J. Durant to have the deposition of Daniel C. Holliday made part of the record in these causes it is now here ordered by the Court that said motion be, and the same is hereby denied, with leave to renew the motion on proper showing.

per Mr Chf Jus Waite.

The State of Wisconsin
Comp: vs Complainant
The City of Duluth, & The Northern Pacific Railroad Company.

On consideration of the motion of Mr J. C. Sloan it is now here

ordered by the Court that the complainant have leave to file replication to the answer of defendant, The City of Duluth, in this cause.

per Mr Chf Jus Waite.

The State of Wisconsin Complainant
vs.
The City of Duluth, & The Northern Pacific R.R.Co.

On consideration of the motion of Mr J. C. Sloan of counsel for complainant it is now here ordered adjudged and decreed by this Court that the bill of complaint of said complainant be, and the same is hereby taken as confessed against the defendant the Northern Pacific Railroad Company with costs.

per Mr Chf Jus. Waite.

The State of Wisconsin Orig. vs Complainant
The City of Duluth, and
The Northern Pacific R.R Co.

On consideration of the motion of Mr J.C. Sloan of

Counsel for the complainant it is ordered that the parties plaintiff and defendant have leave to take testimony upon the issues made before any examiner or commissioner of the Circuit Court, being governed for that purpose by the rules and practice of the Courts of Equity of the United States, and that when the testimony is taken it be transmitted by the officer taking the same to the Clerk of this Court, to be by him filed of record in the case.

per Mr Chf Jus Waite.

Monday November 1. 1875, Continued.

Appointment
of
Reporter.

Ordered that the following letters and orders be entered upon the minutes of the Court.

128 Spruce Street, Phila.
Saturday October 9. 1875

Mr Chief Justice.

I propose to myself, should life and health be continued to me, some disposition of the spring and later seasons of the coming year, which makes desirable to me, in the meantime, somewhat greater leisure, than with the now protracted sessions of the Supreme Court, I should be able to command, were I to go to Washington, at the coming term, and enter anew upon my lately customary duties there.

I beg leave therefore, most respectfully to make known to-

the Court, that if agreeable to it, I shall not have the honor to wait upon it at its coming term; and that I desire that this note be received as my resignation of the Office to which the Court graciously invited me some years ago.

The cases of the last term not yet published, will be issued by me from the press with as little delay as practicable.

I do not sever my relations with the Supreme Court in which my term of labour, if not a long one, is perhaps hardly to be called short, without a measure of feeling. My prayer shall be for the Court - its stability its harmony, - its continuance in wisdom and learning, and for every blessing to all who belong to it.

I have the honor to be Mr Chief Justice with high respect and with

affectionate regard
Your faithful servant.
John Wm Wallace

The Chief Justice
of the United States,
The Honorable M. R. Waite LL.D.

Order.

Mr John William Wallace having resigned the Office of Reporter of the decisions of this Court, and his resignation having been accepted to take effect upon the completion and publication of the 22d Vol. of his reports. Mr Wm Cranch Otto, is appointed to take his place when the vacancy occurs. Mr Otto will report all the decisions of the present term & such decisions of the preceding terms as shall not have been reported, when he takes the office.

Monday, November 1. 1875, Continued.

Washington D.C.
November 1. 1875.

Sir,

I have the honor to acknowledge the receipt of your letter of the 30 ultimo, informing me that at a conference of the Justices of the Supreme Court of the United States, I was appointed the Reporter of the decisions of the Court.

Deeply sensible of the honor conferred, I accept the appointment, and will immediately enter upon the discharge of its duties.

I assure you that they shall receive my earnest and undivided attention.

I am Sir
Very Respectfully
Your Obdt Servant
W. T. Otto.

Hon Morrison R. Waite
Chief Justice of the
Supreme Court U.S.

Order.

The Reporter is expected to reside in Washington during the session of the Court and not to engage in practice as an attorney or counsellor of this Court. This shall not prevent Mr Otto the recently appointed Reporter, from closing out the cases in which he was employed previous to his appointment.

Amendment to Rule 10.

Paragraph 2 is amended by striking out the word "fifteen" where it occurs and inserting in lieu thereof, the word "twenty" so that it will read "shall have twenty copies" &c.

William J. DeTreville
vs. Pff in Error
Robert Smalls.

Mr Assistant Attorney General Smith produced the certificate of the Clerk, and moved the Court, under the

9" Rule. to have the writ of Error in this cause to the Circuit Court of the United States for the District of South Carolina, docketed and dismissed. Whereupon this Court not being now here sufficiently advised of & concerning what order to render in the premises took time to consider.

401. The Leavenworth Lawrence and Galveston Railroad Co vs. The United States. Appellant | On motion of Mr Black, leave granted him to file printed notes of his argument &c. in this cause.

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60 Ex parte In the matter of Ira G. French 7 orig: Petitioner | On motion of A. G. Edmunds leave is granted him to file answer to petition for Mandamus in this cause.

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7 orig:	Ex parte In the matter of Ira G. French. Petitioner	Mr Emmons in behalf of Messrs Houghton and Reynolds counsel for the petitioner in this cause. by leave of the Court filed petition for Mandamus or order on the Judges of the Circuit Court of the United States for the District of California.

214	Wm. T. Pickerel. vs Appelt. The Chicago & N. W. R.R. Co.	For argument of these causes was continued by Mr E. S. Dixon of counsel for the appellees.
235	Dewitt C. Lawrence et al. vs Appellants George H. Paine et al. The Chicago St Paul & Minn R.R. Co.	
587	vs Pff in Error. Henry M. Atkay et al & L. D. Stone	
589	vs Pff in Error. The State of Wisconsin.	

Proclamation being made the Court is adjourned until to-morrow at ten o'clock.

Tuesday, November 2nd 1875.

Pursuant to adjournment the Court met this day at the Capitol

Present—

The Honorable Morrison R. Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon Wm M. Evarts it is ordered that Salem Dutcher Esquire of Augusta State of Georgia be admitted to practice as an attorney & Counsellor of this Court and he was sworn accordingly.—

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214. William F. Refk et al. vs. Appellants. The Chicago and Northwestern Railway Co.

235 Dewitt C. Lawrence et al. vs. Appellants. George H. Paul et al.

587 The Chicago, Milwaukee & St Paul R R Co. vs. Pff in Error. Henry M. McKley et al

589 and L. D. Stone vs. Pff in Error. The State of Wisconsin.

The argument of these causes was continued by Mr C. B. Lawrence of counsel for the appellants in Nos 214 & 235 by Mr J. M. Carey of counsel for the appellants, and by Mr J. C. Sloan of counsel for the appellees.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday November 3d 1875.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable

Morrison R. Waite Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
and
Ward Hunt

Associate Justices

John G. Nicolay Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

William F. Peik et al.
214 vs. Appellants.
The Chicago & Northwestern
Railway Company.

Dewitt C Lawrence et al.
235 vs Appellants
George H Paul et al

The Chicago Milwaukee
& St Paul Railway Co.
587 vs Pelf in Error.
Henry M Atkins et al.

and

L. D Stone.
589 vs. Plff. in Error.
The State of Wisconsin

The argument of these cases was continued by Mr J. C. Sloan of Counsel for the appellees and by Mr E. W. Stoughton of Counsel for the appellants.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday November 4th 1875.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.

} Associate Justices

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

Brandon T. Stewart
Jorge Fox & Wm Selby
vs. Peff in Error.
Meyer Sonnenborn.

Mr P. Phillips presents the certificate of the Clerk and moved the Court under the 9th rule to have the writ of error in this cause to the Circuit Court of the United States for the Middle

District of Alabama dismissed and dismissed. Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

Wm. F. Peck et al.
214 vs Appellants
The Chicago & Northwestern Railway Company.

Dewitt C. Lawrence et al.
235. vs. Appellants.
George H. Paul et al.
The Chicago, Mil. & St. Paul Railway Company.
587 vs Pff in Error.
Henry M. McKee et al.
&
L. D. Stone.
589. vs Pff. in Error.

The argument of these cases was continued by Mr E. W. Stoughton of Counsel, & concluded by Mr W. M. Evarts of counsel for the appellants.

Henry A. Furnell
31. vs Plff in Error,
Jas. F. Converse et al.

and

George W. Long et al.
32. vs Plffs in Error,
Jas. M. Converse et al

for the appellants.

The argument of these cases was commenced by Mr B. F. Butler of Counsel

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday November 5th 1875.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon B. F. Butler it is ordered that Charles M. Osborn Esquire of Rock Island State of Illinois and John C. Lea Esquire of Toledo State of Ohio be admitted to practice as

attorneys and counsellors of this Court and they were sworn accordingly.

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31. Henry N. Farwell vs. Peff in Error Jas. W. Converse et al.

and

32. George W. Long et al. vs. Peffs in Error Jas. W. Converse et al.

The argument of these cases was continued by Mr B. F. Butler of Counsel for the appellants, by Mr J. J. Storrow, and Mr B. G. Books of Counsel for the appellees and concluded by Mr B. F. Butler for the appellants.

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33. William H. Scudder vs. Peff in Error. The Union National Bank of Chicago.

The argument of this cause was commenced by Mr John M. Thompson of Counsel for the plaintiff in Error.

Friday November 5. 1875, Continued.

Monzo S. Gear et al. vs. Jonathan P. Grosvenor. Appellants

Mr B F Butler presented the certificate of the Clerk and moved the Court to docket and dismiss this appeal Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday November 8. 1875.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.

} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr L. H. Bostell it is ordered that Frederick A. Mitchell Esquire of Kansas City State of Missouri be admitted to practice as an Attorney & Counsellor of this Court, & he was sworn accordingly.

830.	Wm. J. De Treville vs. Robert Smalls	Plff in Error	Mr Assistant Attorney General Smith of counsel

for the defendant in error having filed and read in open court the following certificate to wit;

"The United States of America.
District of South Carolina
Fourth Circuit

William J. De Treville
vs. Plff in Error.
Robert Smalls
Defendant in Error.

I, James E Hagood, Clerk of the Circuit Court of the United States for the District of South Carolina, do hereby certify that in the case of William J. De Treville against Robert Smalls defendant, in which a judgment was rendered in favor of the defendant at the April term 1875, of the said Circuit Court, a writ of Error was on motion,

of said William J. DeGrenille plaintiff duly sued out and allowed.

The judgment in said cause was filed on the 15 day of May 1875.

In testimony whereof I have hereunto set my hand and the seal of said Court at Charleston in the District aforesaid, this twenty-first day of October Eighteen hundred and seventy-five.

Seal

J. E. Hagood
Clk U.S. Dist of S.C.

And having stated that the plaintiff in Error had altogether failed to file the record of said cause in this Court or in anyway to prosecute said writ of error, moved the Court in pursuance of the 9th rule of this Court to have the writ of Error in this cause docketed and dismissed. On consideration whereof it is now here ordered and adjudged by this Court that the writ of Error in

this cause to the Circuit Court of the United States for the District of South Carolina, &c. and the same is hereby docketed & dismissed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr Chf Jus. Waite

Alexander T. Stewart & George Fox, Pltffs. in Error, vs. Wm Libbey. Deft. in Error. 83

Mr P. Phillips of counsel for the defendant in Error, having filed and read in open court the following certificate to wit:

"United States of America
Circuit Court of the United States for the Middle District of Alabama,
Office of the Clerk of the Circuit Court of the United States for the Middle District of Alabama,

at Montgomery Alabama.

I J. H. Dimmick, Clerk of the Circuit Court of the United States for the Middle District of Alabama do hereby certify that at the May term 1875 of said Circuit Court held at Montgomery Alabama and on the twenty-ninth (29) day of May A.D. one thousand eight hundred and seventy-five (1875.) in a cause that is to say an action for damages) then and there duly pending in said Court, wherein Meyer Sonneborn was plaintiff, and Alexander T. Stewart, George Fox & William Libbey, partners under the firm name of A. T. Stewart & Company were defendants, a judgment was rendered by said Circuit Court in favor of said plaintiff Meyer Sonneborn, and against said defendants A. T. Stewart & Co for the sum of twenty-one thousand

dollars damages besides the costs of said action, and that afterwards and on the 7th day of June A.D. One thousand Eight-hundred & Seventy five in said cause and from said judgment a writ of Error was duly sued out by & duly allowed in favor of said defendants A. T. Stewart & Co as plaintiffs in Error returnable to the then next ensuing term of the Supreme Court of the United States, and that on the third (3rd) day of September, one thousand eight hundred and seventy-five (1875) a writ of Error bond was duly executed by said A. T. Stewart & Company as principals, and Patrick H. Pepper as security in the sum of fifty thousand dollars in said cause in said Court for the purpose of giving the said writ of Error the force and effect of a supersedeas

of said judgment, which bond was on said third (3rd) day of September, One thousand Eight hundred and seventy five (1875) duly approved by the Honorable John Bruce United States District Judge for the Middle District of Alabama, and duly filed in my office, the Office of the Clerk of the Circuit Court of the United States for the Middle District of Alabama on the sixth (6th) day of September A.D. One thousand Eight hundred and seventy-five (1875) and in consequence of said writ of Error and bond no execution has issued on said judgment.

All of which duly appears of record and is now on file in my said Office of Clerk of the Circuit Court of the United States for the Middle District of Alabama.

In testimony whereof

I. J. W. Dimmick Clerk

of the Circuit Court of the United States for the Middle District of Alabama, do hereunto affix my hand and the Seal of said Court, this the first (1st.) day of November A. D. One thousand Eight hundred & Seventy five (1875.)

Seal

J. W. Dennick, Clerk Cir. Court of the U.S. Middle Dist. of Alabama"

and having stated that the plaintiffs in Error had allowed the time to file the record of said cause in this Court, or in anyway to prosecute said writ of Error. Moved the Court in pursuance of the 9th Rule of this Court to have the writ of Error in this cause docketed and dismissed. On consideration whereof it is now here ordered and adjudged by this Court that the writ of Error in

this cause to the Circuit Court of the United States for the Middle District of Alabama, be, and the same is hereby docketed and dismissed with costs - And that this cause be, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law & justice.

per Mr Ch J Jon. Waite.

Alonzo S. Gear & John Gear.
832. vs Appellants
Jonathan T. Grosvenor & Benjamin Lawrence.

Mr B. F. Butler having filed and read in open Court the following

certificate to wit:

"United States of America
Circuit Court of the United States
District of Massachusetts. S.
In Equity.

Alonzo S. Gear of the Town and County of New Haven in the State of Connecticut, and

John Gear of the town of Concord in the State of New Hampshire Complainants.

v.

Jonathan P. Grosvenor & Benjamin Lawrence, both of the town of Lowell in the State & District of Massachusetts. Defendants.

I, John S. Stetson, Clerk of the Circuit Court of the United States, within and for the District of Massachusetts, certify, that the above entitled cause was determined in said Circuit Court, at the October Term thereof, A.D. 1873, by a decree in favor of defendants, dismissing the bill of complaint in said cause with costs. That thereupon the complainants claimed an appeal to the Supreme Court of the United States (Oct. Dec. Term, 1873,) next to be holden at Washington D.C. & gave

good and sufficient security that they would prosecute their appeal to effect and said appeal was allowed accordingly.

In witness whereof I hereunto subscribe my hand and affix the seal of said Circuit Court at Easton in said District this 25th day of October A.D. 1875, and of the Independence of the United States of America the One hundred & Ist.

John G. Stetson
Clerk."

And having stated that the appellants had altogether failed to file the record of said cause in this Court or in anyway to prosecute said appeal, now here moved the Court in pursuance of the 9th rule of this Court to have this appeal docketed and dismissed. On con-

sideration whereof it is now here ordered and adjudged by this Court that this appeal from the Circuit Court of the United States for the District of Massachusetts be, and the same is hereby dismissed and dismissed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law & justice.

per Mr Chf Jus. Waite.

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832. Alonzo S. Gear et al. vs Jonathan P. Grosvenor, et al. — Appellants | On motion of Mr F. H. Buttolph leave is hereby granted the Clerk to issue the mandate in this cause. —

Ex parte In the matter of Ira G. French for mand: Petitioner. | The petition in this cause for mandamus on the Judges of the Circuit Court of the United States for the District of California, was submitted to the consideration of the Court on printed arguments by Mr S. D Houghton and Mr John Reynolds in support of the same and argued by Mr George F Edmunds, and submitted by Mr J. H. McKune in opposition thereto. Whereupon this Court not being now sufficiently advised of, and concerning what order to render in the premises took time to consider.

B. F. Potts. Governor &c. 2 ds. Pltff in Error, Wm. Chumasero et al. 5745 | Mr J. A. Garfield filed and submitted

to the consideration of the Court motion to advance this cause.

Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider. -

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478.	Shy Lung vs. Pfff in Error, J. H. Freeman et al	Mr E B. Smith in behalf of Mr Edwards Pierrepont filed & submitted to the consideration of the Court Motion to advance this cause Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

Henry M. Rector 646 vs. Appellant The United States.	Mr Assistant Attorney General Smith filed and submitted to the consideration of the Court motion to advance these cases Whereupon this Court not being now here sufficiently advised of & concerning what order to render in the premises took time to consider.
John C Hale 648 vs Appellant The United States.	
and Wm H. Gaines et al. 772 vs. Appellants The United States.	
The Lancashire Insurance Company of Manchester England. 466 vs Plff in Error John J Haley & Henry C Morse, copartners as Haley Morse & Company	In Error to the Circuit Court of the United States for the District of Massachusetts.

Monday November 8. 1875. Continued.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and on the stipulation of counsel for the respective parties on file, and motion of Mr J. H. Ashton it is now here ordered & adjudged by this court that the writ of Error in this cause be, and the same is hereby dismissed each party paying their own costs.

per Mr Chf Jus. Waite

467	The Franklin Fire Insurance Co. of Philadelphia vs. John J. Haley & Henry C. Morse, Co partners as Haley Morse & Company	In Error to the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States,

for the District of Massachusetts, and on the stipulation of counsel for the respective parties on file and motion of Mr J. K. Ashton it is now here ordered & adjudged by this Court that the writ of error in this Cause be, and the same is hereby dismissed, each party paying their own costs.

per Mr Chf Jus. Waite.

	The Bangor Insurance Co. of Bangor Maine.	In Error to the Circuit Court of the United States for the District of Massachusetts.
468.	vs	
	Piffin Error	
	John J. Haley & Henry C. Morse, Copartners as Haley, Morse, & Company	

This Cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts and on the stipulation of counsel for

the respective parties on file and motion of Mr. J. H. Ashton it is now here ordered and adjudged by this Court that the writ of Error in this cause be, and the same is hereby dismissed, each party paying their own costs.

per Mr Ch J Jus. Waite.

The Insurance Company of the State of Pennsylvania (Philadelphia.)
vs. Pltff in Error
John J. Haley & Henry C. Morse, Copartners as Haley, Morse & Company

In Error to the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and on the stipulation of Counsel for the respective parties on file,

and motion of Mr J. H. Ashton, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed, each party paying their own costs.

Per Mr Chf. Jus. Waite

Edward Matthews 10. vs Plff. in Error Nelson M. Stea	On motion of Mr Ashton Case is hereby granted the Clerk to issue the mandate in this cause.

The Farmers & Mechanics National Bank of Buffalo. 502. vs. Plff in Error Peter C. Dearing	On motion of Mr J. D. McKeen in behalf of Mr E. G. Spaulding, leave is hereby granted the Clerk to issue the mandate in this cause.

26.	Edward Burgess vs. Plff in Error. J. C. Babbitt assignee.	Mr J. D. McPherson in behalf of Mr A. Myers

moved the Court for leave to the Clerk to issue the mandate in this cause. Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

25.	Francis Dianese vs. Plff in Error. Charles Hale	On motion of Mr Cuppy Leave is hereby granted the Clerk to issue the mandate in this cause.

33.	William A. Scudder vs. Plff in Error The Union National Bank of Chicago.	The argument of this cause was concluded

by Mr J. H. Thompson of Counsel

for the plaintiff in Error, & submitted on printed argument, by Mr M. H. Fuller of counsel for the defendant in Error.

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34. Benjamin Carver vs Pltff in Error. Clark W. Upton assignee &c.

35 Mary C. Sanger vs Pltff in Error Clark W. Upton assignee &c.

The argument of these cases was commenced by Mr J. M. Thompson of counsel for the plaintiff in Error in No 34 continued by Mr Geo H. Williams of counsel for the plaintiff in Error in No 35, by Mr L. H. Boutell of counsel for the defendants in Error, & concluded by Mr Williams for the plaintiff in Error.

Proclamation being made the Court is adjourned until tomorrow at twelve o clock.

Tuesday November 9. 1875

Pursuant to adjournment the Court met to day at the Capitol

Present

The Honorable Morrison R Waite Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F Miller
David Davis
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices.

John G Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

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36. The Steamboat Eliza Hancock &c vs Charles S Langdon | Appellant | The argument of this cause was commenced by Mr E C. Benedict of counsel for the appellant & continued by Mr W. H. Garrard of counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Wednesday November 10. 1875.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis — Associate
Stephen J. Field — Justices
William Strong
Joseph P. Bradley
Ward Hunt.

John G. Nicolay Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Edward Lander it is ordered that Charles A. Yancey Esquire and Wm. S. Luck Esquire of Harrisonburg State of Virginia be admitted to practice as attorneys & counsellors of this Court and they were sworn accordingly.—

36. The Steamboat Eliza Hancox &c. vs Charles S. Longdow. - Appellant. | The argument of this cause was continued by Mr W. W. Garnett of counsel for the appellee and concluded by Mr R. Taliaferro of counsel for the appellant

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37 Annie Knotts et al. vs. Franklin Stearns & Or &c. Appellants | This cause was submitted to the consideration of the Court on the record and printed arguments by Mr John Johns jr. of counsel for the appellants and by Mr John H. Meredith for the appellees.

Wednesday November 10. 1875 Continued -

Francis Dainese 38 vs. Appellant The Board of Public Works of the District of Columbia.	These cases were argued by Mr John W. Ross and Mr F. T. Cuppy of Counsel for the appellants, and by Mr E. L. Stanton of counsel for the appellees.
and Francis Dainese 39 vs Appellant The Board of Public Works of the District of Columbia.	

Henry Brunet et al. 40 vs. Appellants. LeRoy P. Walker et al	The argument of this cause was commenced by Mr P. Phillips of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday November 11. 1875.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley &
Ward Hunt.

} Associate Justices.

John G. Nicolay, Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened

The State of Wisconsin Complainant vs. The City of Duluth and The Northern Pacific R.R. Co.	On motion of Mr Geo. Gray it is ordered

6 orig:

that the decree pro confesso entered in this cause on the 1st inst. against

the defendant The Northern Pacific Railroad Company be, and the same is hereby rescinded & annulled.

And it is further ordered that leave be, and the same is hereby granted said defendant to file its answer to the complainants bill, on or before the first Monday of December next.

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40 Henry Bruner et al. vs. LeRoy P. Walker et al. | Appellants | The argument of this cause was concluded by Mr P. Phillips of counsel for the appellees, and submitted on printed arguments by Mr F. P. Ward of counsel for the appellants.

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41 Jabez A. Sawyer et al. vs. Edward Turpin et al. | Appellants | The argument of this cause was commenced by Mr Benjamin Dean of counsel for the appellants, con-

tinued by Mr J. D. Ball of counsel for the appellees and concluded by Mr J. G. Abbott of counsel for the appellants

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42. — J. Sherman Hall et al Appellants, vs. Ralph A. Lanning et al. This cause was argued by Mr Sidney S. Harris of Counsel for the defendants in Error, and submitted on printed argument by Mr Samuel H. Packard of counsel for the Plaintiff in Error. —

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday November 12. 1875.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Morrison R Waite Chief Justice

Nathan Clifford
Noah H Swayne
Samuel F Miller
David Davis
Stephen J Field
William Strong
Joseph P Bradley
Ward Hunt
} Associate Justices.

John G Nicolay Esquire Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr J. S Black it is ordered that H K Thurlow Esquire of Chicago State of Illinois be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.—

The Town of Concord 43. vs Plff in Error The Portsmouth Savings Bank	This cause was argued by Mr Geo. H. Williams of Counsel for the plaintiff in Error, and submitted on printed argument by Mr Isaac G. Wilson and Mr Lunford B. Perry of counsel for the defendant in Error.

The Phillips & Colby Construction Company 44. vs Plff in Error. Mark T. Seymour et al.	On the application of counsel one additional hour allowed each side in the argument of this cause.

The Phillips & Colby Construction Co. 44. vs Plff in Error. Mark T. Seymour et al.	The argument of this cause was commenced by Mr Thomas Dent of Counsel for the Plff in Er. and by Mr H. Wilson of Counsel for the defts in Error.

Proclamation being made the Court is adjourned until Monday next at 12 o'clock.

Monday, November 15, 1875.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.

} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

David Dows. John Dows
Maurice W. Alexander & Etor
Orr.
8 vs. Pltfs in Error.
The National Exchange
Bank of Milwaukee.

In Error to the Circuit Court of the United States for the

Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the Southern District of New York, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the courts of the State of New York.

Per Mr Justice Strong.

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17. David Dows, John Dows Mairs & Alexander Eelor (Ors) vs. Pltffs in Error. The Wisconsin Marine & Fire Ins. Co.

In Error to the Circuit Courts of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of New York.

Per Mr Justice Strong.

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36. The Steamboat "Eliza Horner" &c - Lockwood & Burns, Claimant & Appellant vs. Charles S. Langdon. of Georgia.

Appeal from the Circuit Court of the United States for the Southern District

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Georgia, and was argued by Counsel. On consideration whereof it is now here ordered adjudged & decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Ch. J. Jus. Waite.

Peter Bruner, and Henry S. Moore, partners as Bruner and Moore.

40. vs. Appellants

LeRoy P. Hooker & Reuben Chapman.

Appeal from the District Court of the United States for the Northern District of Alabama

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern

and was argued by counsel. On consideration whereof it is now here ordered adjudged & decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby affirmed with costs. And that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the Northern District of Alabama.

Mr Chief Jus. Waite.

B. F. Potts, Governor &c. et al. vs. William Chumasero et al.

545. Pff. in Error.

On consideration of the motion of Mr J. A. Garfield, it appearing that the interests of the whole People of the Territory of Montana seems to require that the questions presented in this case should be at once determined, the case is therefore one of public importance. The motion to advance

is on that account granted. Unless the parties can agree to an earlier day, the case is set down for hearing on the 11th of January next. If the parties consent to taking it up sooner the Court will entertain a motion for a further advance, and will assign it for some other day, which shall not appear to be specially inconvenient to counsel in attendance upon other cases.

per Mr Chf Jus. Waite.

Chy Ling
478. vs. Plff in Error.
J. H. Freeman et al

On consideration of the motion of Mr Edwards Pierrepont it appearing to the Court that this is in effect a criminal case, the plaintiff in Error is, so far as appears in custody. The questions involved seem to be of great public importance, and to require an early decision,

by this Court. The motion to advance is for this reason granted and the cause is set down for hearing immediately after No 645.

per Mr Chf Jus. Waite.

Henry M. Rector
646. vs. Appellant
The United States.

John C. Hale
692. vs. Appellant
The United States.

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and

Wm H. Gaines &al
772. Appellants.
The United States.

On consideration of the motion of Mr Assistant Attorney General Smith it appearing that the questions involved in these cases are of sufficient importance in the opinion of Congress, to justify a special act authorizing suits against the United States in order that they may be determined. The United States although successful in the Court

of Claims, now moves to advance the cases here. The same reasons which made it proper for Congress to grant extraordinary privileges in order that there might be an early and final settlement of this already protracted controversy seems to require from us special facilities in the same direction. The cases are advanced and set down for hearing on the 11th of January next, immediately after No 478. All other cases then pending in this Court on appeal which were commenced in the Court of Claims under the authority of the same special act of Congress, will be taken up and heard at the same time. Parties and Counsel will govern themselves accordingly.

per Mr Ch. J. Jus. Waite.

Edward Burgess 26. vs. Plff in Error. J. C. Babbitt, assignee &c	On consideration of the motion of Mr J. D. McPherson, on behalf of Mr Myers it is ordered that leave be, and the same is hereby granted the Clerk to issue the mandate in this cause

The United States 513 vs Plaintiffs John W. Norton	Mr A. J. St Attorney General Smith moved the Court to advance this cause on the docket. Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

Wm. H. H. Cushman, Isaac N. Hardin & Seth W. Hardin vs. Plffs. in Error. Solomo Hathaway. —	Mr Thomas Dent presented the certificate

of the Clerk, and moved the Court under the 9th rule to have the writ of error in this cause to the Circuit Court of the United States for the Northern District of Illinois docketed and dismissed. Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

William H. H. Cushman, Isaac N. Hardin and Seth W. Hardin. Pffs. in Error. vs. Jonathan C. Hathaway. Mr Thomas Dent presented the certificate of the Clerk, and moved the Court under the 9th rule to have the writ of Error, in this cause to the Circuit Court of the United States for the Northern District of Illinois docketed and dismissed. Whereupon this Court not being now here sufficiently advised of & concern-

ing what order to render in the premises took time to consider.

Joel C. Davis et al.
1159 vs. Plffs. in Error
The State of Indiana
et al The Board of Com-
missioners of Parke
County. -

The motion to dismiss this cause was submitted to the consideration

of the Court on printed arguments by Mr S. Stanifer in support of the same, and by Mr Ralph Hill in opposition thereto.

Faxon D Atherton et al.
647 vs Plffs. in Error.
John Fowler et al. -

and

Faxon D. Atherton et al.
648. vs. Plffs in Error.
Welcome Fowler et al -

The motion to dismiss these cases was submitted to the consideration of the Court on printed arguments by Mr M. A. Wheaton in

support of the same, and by Mr M. Blair in opposition thereto.

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693. Daniel Hand vs. Plff. in Error. Thos C. Dunn Comptroller General of South Carolina

The motion to dismiss this cause was submitted to the consideration of the Court on printed arguments by Mr D. T. Corbin in support of the same, and by Mr S. Phillips in opposition thereto.

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633. The Commissioners of Immigration vs. Appellants The North German Lloyd

This cause was submitted to the consideration of the Court on the record & printed arguments by Messrs S. R. and C. L. Walker of counsel for the appellants, and by Messrs W. S. Penedict and Joseph P. O'Connor for the appellees under Rule 20.

Humboldt Township 128 vs. Pltff. in Error Nesmith Long et al	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr Wilson Shannon of counsel for the Plaintiff in Error, & by Mr G. C. Clemens for the defendant in Error. under the 20th rule.

The Phillips & Colby Construction Co. 144 vs Pltff in Error. Mark Seymour et al	The argument of this cause was continued by Mr K. S. Wilson and Mr J. S Black of counsel for the defendants in Error, and concluded by Mr E. H. Abbott for the plaintiff in Error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday November 16. 1875

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller — Associate
David Davis — Justices.
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

H5. Sarah Ann Dorsey vs. Simon Jackson, Appellant

This cause was argued by Mr A. G. Riddle of counsel for the appellant and by Mr Francis Miller and Mr H. A. Meloy of counsel for the appellee.

Tuesday November 16. 1875 Continued.

117	The Baltimore and Potomac Railroad Co. vs. Pfaff in Err & c. The Sixth Presbyterian Church.	The argument of this cause was commenced by Mr Wayne McVeagh of counsel for the appellant.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday November 17. 1875.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller — Associate Justices.
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened. -

On motion first made to the Court in this behalf by Mr D. H. Clifford it is ordered that Edward Winslow Esq Esquire of Portland State of Maine be admitted to practice as an attorney & Counsellor of this Court & he was sworn accordingly. -

The Balto & Potomac Railroad Company. 47. vs. Plff in Error. The 6th Presbyterian Church.	The Court declines further argument in this cause.

Gustavus T. Beauregard 48. vs Plff. in Error. Charles Case. Receiver &c. and Thomas P. May. 406. vs. Plff. in Error. Charles Case Receiver &c.	These cases were argued by Mr J. D. McPherson of Counsel for the plaintiffs in Error, & by Mr C. Case, and Mr P. Phillips for the defendants in Error.

John Carey et al. 49. vs. Plffs. in Error. Henry T. Brown.	The argument of this cause was commenced by Mr C. Robinson of counsel for the Plff. in Error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday November 18th 1875.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis — Associate
Stephen J. Field — Justices
William Strong
Joseph P. Bradley
Ward Hunt

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr R. P Lowe it is ordered that William Phillips Esquire of Des Moines State of Iowa be admitted to practice as an attorney & Counsellor of this Court & he was sworn accordingly.

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151. Gazaway B. Lamar vs. Plff in Error. Albert G. Brown et al Special agents, U. S. Treasury et al.

Mr E. A. Dickerson suggested the death of Gazaway B. Lamar the plaintiff in Error in this cause and moved the Court for leave to enter the appearance of G. DeRosset Lamar, Executor of G. B. Lamar deceased, as the party plaintiff in Error in this cause. On consideration whereof it is now here ordered by the Court that G. DeRosset Lamar Executor of Gazaway B. Lamar deceased as aforesaid be, and he is hereby entered as the party plaintiff in Error in this cause, in the place and stead of said G. B. Lamar, deceased, with liberty to prosecute this writ of Error.

John Curry et al. 49. vs. Piff's in Error Henry T. Brown.	The argument of this cause was continued by Mr C. Robinson of counsel for the plaintiffs in Error, by Mr T. J. Durant of counsel for the defendant in Error, and concluded by Mr Robinson for the plaintiffs in error.

Isaac T. Preston 50 vs. Piff in Error. Nelson Marcon et al.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr James K. Edsall & Mr William McKilgour of Counsel for the plaintiffs in Error, and by Mr H. C. Burchard for the defendants in Error. —

The Mississippi and Missouri R.R.Co. et al. vs. Charles T. Cromwell	This cause was submitted to the consideration of the Court

51. Appellants

on the record and printed arguments by Mr Geo. G. Wright and Mr R. P. Lowe of counsel for the appellants, and by Mr John N. Rogers for the appellee.

Rufus K. Scovall admr vs. John Winslow Jones et al.	The argument of this cause

52. Appellant

was commenced by Mr E. N. Dickerson of counsel for the appellant.

Proclamation being made the Court is adjourned until to-morrow morning at twelve o'clock.

Friday November 19. 1875.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable. Morrison R Waite Chief Justice
Nathan Clifford
Noah H Swayne
Samuel F Miller — Associate
David Davis — Justices.
Stephen J. Field
William Strong
Joseph P Bradley
Ward Hunt.

John G Nicolay Esquire Marshal.
Daniel Henry Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr P. Phillips it is ordered that Wm J. Baxter Esquire of Grand Rapids State of Michigan and William J. Johnston Esquire of the District of Columbia be admitted to practice as attorneys and

counsellors of this court, and they were sworn accordingly.

Isaac N. Bressler vs. Piff. in Error. Nelson Maxson dcd. | On motion of Mr Hill. your leave is hereby granted him to file printed argument on behalf of plaintiff in Error, and that he furnish copy of the same to opposing counsel.

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503. G. D Newhall vs. Appellant Charles H Sanger | On motion of Mr William J. Johnston leave is hereby granted him to file brief on behalf of the appellant in this cause and that he furnish a copy of the same to opposing counsel.

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52. Rufus K. Sewall admr &c vs. Appellant John Winslow Jones dcd | The argument of this cause was contin-

ued by Mr E. H. Dickerson of counsel for the appellant, by Mr H. H. Clifford of counsel for the appellees, and concluded by Mr Dickerson for the appellants.

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53. The Town of Venice vs. Eaander Murdock. | Pff in Error. | On motion of Mr Horden two hours additional time allowed counsel on each side in the argument of this cause.

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53 The Town of Venice vs. Eaander Murdock | Pff in Error. | The argument of this cause was commenced by Mr H. D. Horden of counsel for the Plaintiff in Error.—

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday November 22d 1875.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.

} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

Mr Chief Justice Waite announced to the Marshal the Court had just received the painful intelligence of the sudden death this morning of the Vice President of the United States, at his room in the Capitol. That out of respect to his memory it will now adjourn for the day, without transacting any business.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday November 23d 1875.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt

} Associate Justices

John G. Nicolay Esquire Marshal.

Daniel Kelly Metcalfe Clerk

Proclamation being made the Court is opened.

Proclamation being made the Court is adjourned until Monday next at 12 o'clock.

Monday November 29. 1875.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr T. J. Durant it is ordered that Edmund J. Davis Esquire of Austin State of Texas be admitted to practice as an attorney & counsellor of this Court, and he was sworn accordingly.—

	William H. Scudder	In Error to
33.	vs	the Circuit
	Pff. in Error.	Court of
	The Union National	the United
	Bank of Chicago.	States for

the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof it is now here ordered & adjudged by this court, that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

per Mr Justice Hunt

Isabey A. Sawyer and Lyman B. Frazier.		Appeal from the Circuit Court of the United States for the District
41 vs.	Appellants.	
Edward Turpin, Augustus Henry Novelli, Francis Koenig, and Hardy Bowker.		

of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts and was argued by counsel. On consideration whereof it is now here ordered adjudged & decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr Justice Strong.

Annie Knotts, Carrie Knotts & Edwin Knotts infants by their next friend Emily J. Knotts. vs. Appellants. Franklin Stearns Ex^r of C. J. Baldwin. decd Virginia V. Baldwin and Mary F. Baldwin

Appeal from the Circuit Court of the United States for the District of Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Field.

571	The United States vs. The Union Pacific Railroad Company.	Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed.

per Mr Justice Davis.

	Francis Dainese vs. The Board of Public Works of the District of Columbia consisting of Henry D Cooke, Alexander R. Shepherd, Samuel P. Brown, James A. Magruder & Adolph Cluss.	Appeal from the Supreme Court of the District of Columbia.

Monday November 29 1875. Continued.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by Counsel On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby reversed with costs and that this cause be, and the same is hereby remanded to the said Supreme Court for further proceedings, including leave to amend pleadings as may be in accordance with Equity, and with the opinion of this Court.

per Mr Justice Miller.

39.	Francis Dunnell vs. The Board of Public Works of the District of Columbia, consisting of Henry D. Cooke Alexander R. Shepherd, Samuel P. Brown, James F. Magruder, & Adolph Cluss.	Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court for such further proceedings - including leave to amend pleadings - as may

be in accordance with equity and with the opinion of this Court.

Per Mr Justice Miller.

	Charles A. Nichols assignee of Amasa M. Eaton a bankrupt	Appeal from the
22.	vs. Appellant	Circuit
	Amasa M. Eaton, Willard M. Bailey, and George B Ruggles.	Court of the United States

for the District of Rhode Island.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Rhode Island and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr Justice Miller.

Benjamin Carver
34 vs. Pff. in Error.
Clark W. Upton assignee
of the Great Western
Insurance Company
a bankrupt.

In Error to
the Circuit
Court of the
United States
for the North-
ern District
of Illinois

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by Counsel. On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

Per Mr Justice Swayne.

36	Mary C. Sawyer vs. Piff in Error Clark H. Upton assignee in bankruptcy of the Great Western Insurance Company.	In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs & interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

per Mr Justice Swayne.

Henry S. Farwell
31. vs. Pltff in Error.
James W. Converse,
Geo. M. Bartholomew
& Graham Garanier,
Receivers of the Boston
Hartford and Erie
Railroad Company.

In Error
to the Su-
preme Ju-
dicial Court
of the State
of Massa-
chusetts.

This cause came on to be heard on the transcript of the record from the Supreme Judicial Court of the Commonwealth of Massachusetts, and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the writ of Error in this cause be, and the same is hereby dismissed for the want of jurisdiction.

per Mr Ch. Jus. Waite.

32.	George W. Long, and John C. Watson vs Pff. in Error. James W. Converse Geo. M. Barthlomew & J Graham Sanderson receivers of the Boston Hartford & Erie R.R.Co	In Error to the Supreme Judicial Court of the State of Massachusetts

This cause came on to be heard on the transcript of the record from the Supreme Judicial Court of the Commonwealth of Massachusetts, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court that the writ of error in this cause be, and the same is hereby dismissed for the want of jurisdiction.

per Mr Chief Justice Waite.

Jay Cooke, William G. Moorhead, H. D. Cooke, H. C. Fahnestock, Edward Dodge and Pitt Cooke as Jay Cooke & Company
275 vs. Pltffs. in Error.
The United States

In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to enter judgment reversing the judgment of the District Court

in this cause and to direct that Court to award a Venire facias de novo.

per Mr Chf Jus. Waite

Dissenting
Mr Jus Clifford
" " Field
" " Bradley.

(Mr Justice Miller did not sit in this cause, and took no part in the decision.)

Ex parte In the matter of Ira G French. Original. Petitioner

On consideration of the motion for a writ of Mandamus in this cause and of the argument of counsel thereupon had, as well in support of as against the same it is now here ordered by the Court that said petition be, and the same is hereby denied.

per Mr Chf Jus. Waite.

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459 Joel C. Davis et al. vs. Plffs. in Error. The State of Indiana & Ree The Board of Commissioners &c. — | On consideration of the motion to dismiss this cause and of the argument of counsel thereupon had, as well in support of, as against the same it is now here ordered by the Court that said motion be, and the same is hereby denied.

per Mr Ch. Jus Waite

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093 Daniel Hand Plff in Error. vs. Thomas L. Dunn Comptroller General &c. Motion to dismiss | Ordered by the Court "that the defendant in error have leave to amend his motion, by assigning therein as further cause that the decree of the Supreme Court of South Carolina, is not the final decree in the suit." This amendment may be filed on or before Monday next.

The plaintiff in error may file a brief, in answer to that of the defendant in Error upon question presented by the amendment, on or before the 20th of December and the defendant may reply thereto within two weeks thereafter if he desires to do so

per Mr Chief Jus. Waite.

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513. The United States as Plaintiffs / John W. Norton

On consideration of the motion of Mr Assistant Attorney General Smith, it is ordered that this cause be advanced and assigned for argument on the 15th day of March next.

per Mr Chf Jus Waite.

William N. W. Cushman, Isaac N. Hardin, & Seth M. Hardin
834 vs. Pffs. in Error.
Salome Hathaway

Mr Thomas Dent having filed and read in open Court the following certificate to wit:

"Circuit Court of the United States for the Northern District of Illinois.

Salome Hathaway
vs.
Wm N. W. Cushman
Isaac N. Hardin &
Seth M. Hardin.
} Assumpsit.

Northern District of Illinois ss.
I William H. Bradley Clerk of the Circuit Court of the United States for said Northern District of Illinois do hereby certify that on the 27th day of January A.D. 1875, judgment was duly entered in said Court in favor of Salome

Halloway plaintiffs in said entitled cause, and against William H. H. Cushman, Isaac N. Hardin and Seth H. Hardin defendants defendants in said entitled cause for the sum of twenty-three hundred and eighty-eight dollars damages besides costs of said suit: and that on the same day, said defendants sued out of said Court a writ of error to reverse said judgment which writ of error was duly allowed, and afterwards to wit, on the 22 day of July A. D. 1875 - filed in said Court their supersedeas bond in said entitled cause which was duly approved & allowed by said Court.

In testimony where of, I have hereunto set my hand, and affixed the seal of said Circuit Court at my office

in Chicago in said District this 4th day of November A.D. 1875.

Wm. H. Bradley
Clerk."

and having stated that the plaintiffs in error had altogether failed to file the record of said cause in this Court, or in anyway to prosecute said writ of error. Now here moved the Court in pursuance of the 4th rule of this Court to have the writ of error in this cause docketed & dismissed with costs. On consideration whereof it is now here ordered and adjudged by this Court, that the writ of error in this cause to the Circuit Court of the United States for the Northern District of Illinois be, and the same is hereby docketed and dismissed with costs. And that this cause be, and the same is hereby remanded to the said

Circuit Court to be proceeded in according to law and justice.

per Mr Ch. J. Jus. Waite

William H. H. Cushman, Isaac N. Hardin and Seth W. Hardin vs. Plffs. in Error. Elnathan P. Hathaway. 855.

Mr. Thomas Dent having filed and read in open Court the following Certificate to wit;

"Circuit Court of the United States for the Northern District of Illinois.

Elnathan P. Hathaway vs. William H. H. Cushman, Isaac N. Hardin and Seth W. Hardin. } Assumpsit.

Northern District of Illinois. ss.

I William H. Bradley Clerk of the Circuit Court of the United States for said Northern

District of Illinois do hereby certify that on the 27th day of January A.D. 1875, judgment was duly entered in said Court in favor of Ebnathan P. Hathaway, Plaintiff, in said entitled Cause, and against William H. H. Cushman Isaac N. Hardin and Seth W. Hardin defendants in said entitled cause for the sum of twenty three hundred and ninety dollars damages besides costs of said suit.

And that on the same day said defendants sued out of said Court a writ of error to reverse said judgment which writ of error was duly allowed. And afterwards to wit, on the 22d day of July A.D. 1875 filed in said Court, their supersedeas bond, which was approved and allowed by the Court in said entitled cause.

In testimony whereof I have hereunto set my hand and affixed the

seal of said Circuit Court at my office in Chicago in said District, this 9th day of November A.D. 1875.

Wm. H. Bradley
Clerk.

Seal

and having stated that the plaintiffs in error had altogether failed to file the record of said cause in this Court, or in any way to prosecute said writ of error, now here moved the Court in pursuance of the 9th rule of this court to have the writ of error in this cause docketed and dismissed.

On consideration whereof it is now here ordered and adjudged by this Court that the writ of error in this cause to the Circuit Court of the United States for the Northern District of Illinois be and the same is hereby docketed and dismissed with costs. And that this cause be, and

the same is hereby remanded to the said Circuit Court, to be proceeded in according to law and justice.

per Mr Chf Jus. Waite

W. F. Drake
vs. Pff in Error.
The Exchange and Deposit Bank of Knoxville

1142

The motion for an order requiring plaintiff in Error to justify sureties on his supersedeas bond in this cause was submitted to the consideration of the Court by Mr S. F. Phillips in support of the same - Whereupon this Court not being now here sufficiently advised of & concerning what order to render in the premises took time to consider.

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Stephen S. Stewcomb vs Plff. in Error. John Hood assignee of Phillip C. Robertson a Bankrupt. — Mr H. H. Smith presented the certificate of the Clerk and moved the Court under the Rule to have the writ of Error in this cause to the Circuit Court of the United States for the Northern District of Ohio docketed & dismissed Whereupon this Court not being now fully sufficiently advised of, and concerning what order to render in the premises but time to consider. —

Michael McClay John Kelly and Peter Donahue vs. Plffs. in Error. Joseph S. Friedman. — Mr A. A. Sargent presented the certificate of the Clerk & moved the Court under the Rule to have the writ of error in this cause to the

Supreme Court of the State of California, docketed and dismissed. Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

The New Orleans Gas Light Company.
500. vs. Pff. in Error
The Crescent City Gas Light Company. — In Error to the Supreme Court of the State of Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and on the motion of counsel for the defendant in error to dismiss for the want of jurisdiction, and on the stipulation of the counsel for the respective parties on file it is now here ordered and adjudged by this Court that the

writ of error in this cause be, and the same is hereby dismissed for the want of jurisdiction, pursuant to said stipulation.

Per Mr Ch/ Jus. Waite.

The Steamboat Eliza Hancox &c. vs. Charles S. Langdon. — Appellant — On motion of Mr A. Wilson in behalf of Mr H. McGarrard it is ordered that leave be, and the same is hereby granted the Clerk to issue the mandate in this cause. — 86

Thomas E. Williams et al vs. Thomas B. Florence et al. — Appellants — Mr W. A. Meloy of counsel for the appellants suggested the death of Thomas B. Florence one of the appellees in this cause and moved the Court for an — 109

order under the 15 rule to make the proper representatives parties - In consideration whereof it is now here ordered by this Court that unless the proper representatives of the said Thomas B. Florence deceased as aforesaid shall voluntarily become parties within the first ten days of the ensuing term of this Court, the appellants shall be entitled to open the record and on hearing have their cause reversed if it be erroneous provided that a copy of this order shall be printed in some newspaper at the seat of government in which the laws of the United States shall be printed by authority for three successive weeks at least sixty days before the beginning of the term of the Supreme Court next ensuing.-

Louis Rose
748. vs. Pltff in Error
Frank F. Case
Receiver &c

Mr Case filed and submitted to the consideration of the Court motion to advance this cause. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.-

The United States
643. vs.
William Allison

Mr Solic. Gen. for Appellants and Phillips filed and submitted to the consideration of the Court motion to advance this cause. Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.-

Thomas S. Dobbins &al
616. vs. Plffs. in Error
The United States. —

617 Same — vs. — Same

618. Same — vs. — Same.

619. Same — vs. — Same

and.

620. Same — vs. — Same

Mr Asst. Attorney General Smith filed & submitted to the consideration of the Court motion to advance these cases. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

John H. Russell
vs. Appellant
The United States

Mr Asst. Attorney General Smith presented the certificate of the Clerk & moved the Court under the 9th rule to have

this appeal from the Court of Claims docketed and dismissed Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.-

George McKay Esq. Mr Apt. as Appellants. Attorney The United States - General Smith

presents the certificate of the Clerk and moved the Court under the 9th rule to have this appeal from the Court of Claims docketed and dismissed - Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider. -

Monday November 29. 1875. Continued.

53. The Town of Venice vs. Deff. in Error / Evander Murdock. The argument of this cause was continued by Mr W. T. Worden of Counsel for the plaintiff in error, and by Mr David Wright of Counsel for the defendant in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday November 30. 1875.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis — Associate
Stephen J. Field — Justices.
William Strong
Joseph P. Bradley
Ward Hunt.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr E. L. Stanton it is ordered that J. M. Smith Esquire of St Louis State of Missouri, and Rufus L. B. Clarke, & A. S. Worthington Esquires of Washington City District of Columbia, be admit-

led to practice as attorneys and counsellors of this court, and they were sworn accordingly.-

The American Emigrant Company
vs.
The County of Adams, Neb.

Appellant

Mr R. L. B. Clarke presented the certificate of the Clerk and moved the Court under the 9th Rule to have this appeal from the Circuit Court of the United States for the district of Iowa docketed and dismissed. Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.-

53 The Town of Venice
vs.
Evander Murdock

Eff in Error

The argument of this cause was continued by Mr David Wright of counsel for the defendant in Error, & concluded by Mr W. T.

Tuesday November 30th 1875. Continued.

Worden for the plaintiff in error.

The Town of Venice
55. vs. Peff in Error
Jas O. Woodruff Sheriff.
The Town of Venice
56. vs. Peff in Error,
William L. Matson.
and
The Town of Venice
90. vs. Peff in Error,
Ophir Edson.

These causes were submitted to the consideration of the Court on the records & printed arguments by Mr Warren T. Worden of counsel for the plaintiffs in Error and by Mr David Wright of counsel for the defendants in error.

The Town of Genoa
54 vs. Peff in Error.
Jas O. Woodruff Sheriff.

This cause was argued by Mr L. S. Comstock of counsel for the plaintiff in Error, and by Mr David Wright of counsel for the defendants in Error.

57 The First Unitarian Society of Chicago vs. Pfff. in Error. H. F. Faiakner et al. This cause was submitted to the consideration of the Court on the record and printed argument by Mr Daniel L. Shorey of counsel for the plaintiff in Error, and by Messrs R. M. and Dunton Corwine for the defendants in Error.—

58 Ira P. Rudd et al. vs. Pfffs. in Error. Geo. B. Burrows assignee. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr W. N. Smith of counsel for the plaintiffs in Error and by Mr H. M. Lewis and Mr J. C. McKenney for the defendant in Error.—

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday December 1. 1875.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R Waite Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis Associate
Stephen J. Field Justices.
William Strong
Joseph P. Bradley
Ward Hunt.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr J. G. Abbott it is ordered that George E. Bolton Esquire of Boston State of Massachusetts be admitted to practice as an attorney and counsellor of this Court & he was sworn accordingly.

On motion first made to the Court in this behalf by Mr J. Phillips it is ordered that Hon B. H. Hill of Athens State of Georgia be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr D. B. Duffield it is ordered that Ashley Ford Esquire of Detroit State of Michigan be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

59 Sarah McMurray etal vs. Austin P. Brown. This Appellants Cause was argued by Mr James S. Edwards of Counsel for the appellants and by Mr E. L. Stanton for the appellee.

231. The Home Insurance Company of New York, Plff. in Error. vs. George Davis &c. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr George W. McCrary of Counsel for the plaintiff in Error, and by Mr J. H. Ashton for the defendant in Error under the 20th rule.

532. The County of Moultrie Plff. in Error. vs. The Rockingham Ten Cent Savings Bank, This cause was submitted to the consideration of the Court on the record and printed arguments by Mr John R. Eden and Mr W. S. Henry of counsel for the plaintiff in Error, and by Mr S. McCullom for the defendant in Error, under the 20th rule.

Wednesday December 1. 1875 continued

John H. Kennard
60. vs. Pfff. in Error
The State of Louisiana
& rel P. H. Morgan

This cause was argued by Mr J. J. Durant of counsel for the defendant in error, and submitted on printed argument by Messrs Semmes and Mott and N. P. Chipman of counsel for the plaintiff in error.

The Western Union
Telegraph Company
61. vs. Appellants
The Western & Atlantic
Railroad Company

The argument of this cause was commenced by Mr J. H. Ashton of counsel for the appellant and cont'd by Mr B. H. Hill of counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday December 2nd 1875.-

Pursuant to adjournment, the Court met to day at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice.
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis Associate
Stephen J. Field, Justices.
William Strong,
(Joseph P. Bradley)
Ward Hunt
John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.,

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr J. G. Abbott, it is ordered that Honorables Charles P. Thompson of Gloucester, William M. Warren of Boston, and John K. Tarbox of Lawrence State of Massachusetts be admitted to practice

as attorneys and counsellors of this court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr D. B. Duffield it is ordered that Frank H. Canfield Esquire of Detroit State of Michigan be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

61. The Western Union Telegraph Company. vs. The Western and Atlantic Railroad Co. Appellant

The argument of this cause was continued by Mr B. H Hill of Counsel for the appellee and concluded by Mr J. H Ashton of Counsel for the appellant. —

62. Richard L. Wallach et al. vs. John Van Riswick. Appellants

The argument of this cause was commenced by Mr Luther H. Pike of Counsel for the appellants and continued by Mr T. H. Lambert and Mr T. J. Durant of counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

U.S.

Friday December 3. 1875.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice
Nathan Clifford
Noah H Swayne
Samuel F. Miller
David Davis Associate
Stephen J. Field Justices.
William Strong
Joseph P. Bradley
Ward Hunt

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Geo. B. Hibbard it is ordered that Hon Eldridge G. Lapham of Canandaigua State of New York be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.-

Order

On the application of the Clerk it is hereby ordered that James H McKenney be, and he is hereby appointed a Deputy Clerk of this Court, in pursuance of Section 678. Revised Statutes; and that he forthwith take the oath of office.-

I James H. McKenney being appointed a Deputy Clerk of the Supreme Court of the United States, do solemnly swear that I will truly and faithfully enter and record all the orders decrees judgments and proceedings of the said Court, and that I will faithfully and impartially discharge and perform all the duties of my said office, according to the best of my abilities and understanding. So help me God.

James H. McKenney.

Subscribed and

Sworn to before me
this third day of
December A.D. 1875.
D. W. Middleton
(Seal) Clerk of the Supreme
Court of the U.S.

62 Richard L Wallach et al. vs. John Van Reswick. Appellants. The argument of this cause was concluded by Mr Albert Pike of counsel for the appellants.

63 Isaac S. Major & al. vs. Clark M. Upton assignee. Pltff in Error. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr C. Hitchcock of counsel for the plaintiff in error, and by Mr L. H. Bonwell for the defendant in Error.

64. Thomas Pitts Executor &c. vs. The River and Lake Shore Steamboat Line. Appellant and Appellee. The argument of this cause was commenced by Mr F. A. Canfield of counsel for the appellants & continued by Mr Hekley Pond of counsel for the appellee.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday December 6. 1875. —

Pursuant to adjournment the Court met to day at the Capitol

Present.

The Honorable Morrison R. Waite Chief Justice.
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis Associate
Stephen J. Field Justices.
William Strong
Joseph P. Bradley
Ward Hunt.

John G. Nicolay Esquire Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr R. D. Mussey it is ordered that Roderick Seal Esquire of Mississippi City State of Mississippi be admitted to practice as an attorney and counsellor of this Court & he was sworn accordingly. —

On motion first made to the Court in this behalf by Hon J. S. Black, it is ordered that Charles W. Mackey Esquire of Franklin State of Pennsylvania be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr E. B. Smith it is ordered that A. Van Slyck Esquire of Providence State of Rhode Island be admitted to practice as an attorney & counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr F. & S. Swift it is ordered that William B. Moran Esquire of Detroit State of Michigan be admitted to practice as an attorney & counsellor of this Court & he was sworn accordingly.

On motion first made of the Court on this behalf by Mr Ashley Bond it is ordered that George M. Lawton Esquire of Lawton State of Michigan be admitted to practise as an attorney and Counsellor of this Court and he was sworn accordingly.

Sarah Ann Jackson (now Sarah Ann Dorsey) Appellant
145. vs. Appeal from the Supreme Court of the District of Columbia.
Senior Jackson.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Supreme Court in this cause so far as it awards any portion of the property in controversy to the husband and directs a conveyance by the wife

to him be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court for further proceedings in conformity with the opinion of this Court.

per Mr Justice Field.

Dissenting
Mr Jus. Davis.

Gustave J. Fourcigand
vs. Pff in Error
Charles Case receiver of the
1st National Bank of N. Orleans
and
Thomas P. May.
vs. Pff in Error.
Charles Case receiver of the 1st
Nat'l Bank of New Orleans.

In Error to the Circuit Court of the United States for the District of Louisiana.

118
406.

These causes came on to be heard on the transcript of the record from the Circuit Court of the United States for the District

of Louisiana and was argued by Counsel On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs & interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Louisiana.

per Mr Justice Field.

John Cary, James G. Parkerson & Ira Davis
149. vs. Appellants
Henry T. Brown.

In Error to the Circuit Court of the United States for the District of Louisiana

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana and was argued by Counsel. On

consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Swayne

47 The Baltimore & Potomac Railroad Company vs. Plff. in Error. The Trustees of the Sixth Presbyterian Church. — In Error to the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause

be and the same is hereby affirmed with costs and interest, until paid at the same rate per annum that similar judgments bear in the Courts of the District of Columbia

per Mr Justice Clifford

Mr Justice Bradley did not sit on the argument of this cause and took no part in the decision).

647. Jason D. Atherton et al Plffs. in Error. vs John Fowler et al

and

648. Jason D. Atherton et al Plffs. in Error. vs Welcome Fowler et al

On consideration of the motion to dismiss these cases and of the argument of counsel thereupon had as well in support of, as against the same it is now here ordered by the Court that said motion be, and the same is hereby denied. per Mr Chf Jus Waite.

231. The Home Insurance Company of New York, Plff in Error vs George Davis & Jas Stronach. Deft in Error. In Error to the Supreme Court of the State of Michigan.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Michigan and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court with instructions to reverse the judgment of the Circuit Court of Manistee County, and to direct that Court to permit a transfer to the Circuit Court of the United States upon the showing under the petition filed March 20, 1873.

per Mr Ch. Jus. Waite

Luban S. Mayo
63 vs. Plff. in Error.
Clark H. Upton as
signee of the Great
Western Insurance
Co. a bankrupt.

In Error to the
Circuit Court
of the United
States for the
Northern Dis-
trict of Illinois.

This cause came on to be heard on
the transcript of the record from
the Circuit Court of the United States
for the Northern District of Illinois
and was argued by counsel. On
consideration whereof it is now
here ordered and adjudged by this
court that the judgment of the
said Circuit Court in this cause
be, and the same is hereby af-
firmed with costs and interest
until paid at the same rate
per annum that similar judg-
ments bear in the courts of the
State of Illinois.

per Mr Chf Jus Waite.

43. The Town of Concord vs. Pfeff. in Error The Portsmouth Savings Bank. In Error to the Circuit Court of the United States for the Northern District of Illinois.

It has been contended in the argument here, that the bonds in question were prohibited by the Constitution of the State of Illinois, and are therefore void. A reargument upon that point is ordered. The case will be again taken up for this purpose at any time that may suit the convenience of counsel after the 13th of January next. If they cannot agree upon the time, the Court will on application of either of the parties give such further direction in the premises as justice may require. The Clerk will transmit a copy of this order to the Counsel for the respective parties.

per Mr Ch J Jus. Waite.

William Reemer
1183 vs Appellant
Edwina Simon et al

On consideration of the motion of Mr Jonas Marshall it is ordered that the motion to remand this cause be and the same is hereby denied.

per Mr Chief Jus. Waite.

The Board of Liquidation of Louisiana &c.
604 vs Appellant
Henry S. McComb.

This cause having already been argued upon sufficient showing made, it is now here ordered by the Court that it be assigned for argument on the 6th day of January next.

per Mr Chf Jus. Waite.

The United States
643 vs Appellant
William Allison

On consideration of the motion of Mr Solicitor General Phillips

it appearing to the Court that it
has been the custom heretofore
to advance test cases coming
here on appeal from the Court
of Claims. A special point on-
ly is left undecided by this Court
as is said in the cases coming
under the class of which this
is one. That point can as well
be presented by a printed argu-
ment as by one that is oral.
The case is therefore advanced
and set down for hearing on
printed arguments on the first
Monday of January next. Un-
der this order no oral arguments
will be heard.

per Mr Chf Jus. Waite.

Thomas S. Dobbins et al
616. vs. Plffs. in Error
The United States.
617 Same vs. Same
618 Same vs. Same
619. Same vs. Same
620 Same and vs. Same.

On consideration of the motion of Mr Clerk & Mr Gail Smith, it is now here ordered by the Court that the motion to advance these cases be, and the same is hereby denied.

per Mr Chf Jus. Waite.

Louis Rose
718. vs. Plff in Error.
Frank T. Case
Receiver &c.

On consideration of the motion of Mr Case it is now here ordered by the Court that the motion to advance this cause be, and the same is hereby denied.

per Mr Chf Jus. Waite.

492. W. F. Drake vs. Plff in Error
The Exchange and Deposit Bank of Knoxville

On consideration of the motion for an order to compel the Plaintiff in Error to justify sureties on supersedeas bond, and of the argument of Mr S. F. Phillips in support of the same, it is now here ordered by the Court that said motion be, and the same is hereby denied without prejudice to it to renew at in case a sufficient showing can hereafter be made.

per Mr Chief Jus. Waite.

862. The American Emigrant Company. vs. The County of Adams.

Mr R. L. B. Clarke of Counsel for the Appellee Appellant

having filed and read in open Court the following certificate, to wit:

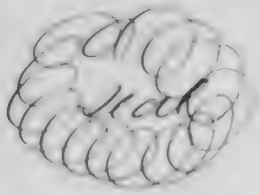
"Circuit Court of the United States.
District of Iowa.

I George B. Corthell Clerk of the United States Circuit Court for the District of Iowa do hereby certify that in the case of the County of Adams in the State of Iowa Complainant against The American Emigrant Company defendants, the said Court rendered a decree Oct. 31. 1874 from which said decree the said American Emigrant Company prayed an appeal to the Supreme Court of the United States, which said appeal was allowed by said Court on said Oct 31. 1874.

I further certify that said defendant did on the 5th day of December A.D. 1874, file in my office its supersedeas bond which was duly approved by said Court.

In testimony whereof I hereunto subscribe my name and affix the seal of said Court at my office

Monday December 6. 1875 Contin



in Testimony this 15th
day of November A.D. 1875.
Geo. B. Corkhill
Clerk."
By C. R. Mason Deputy"

and having stated that the appellant had altogether failed to file the record of said cause in this Court or in any way to prosecute said appeal, now here moved the Court to have this appeal docketed and dismissed. On consideration whereof it is now here ordered adjudged and decreed by this Court that this appeal from the Circuit Court of the United States for the District of Iowa be, and the same is hereby docketed and dismissed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

Per Mr Ch. Jus. Waite.

Michael McKay, John Kelso, & Peter Donahue. vs. Pffs. in Error. Joseph S. Friedman. — 863

Mr H. H. Sargent of counsel for the defendant in error having filed and read in open court the following certificate to wit:

Office of the Clerk of the Supreme Court of the State of California.

State of California, City and County of Sacramento. ss.

Michael McKay, John Kelso, & Peter Donahue. vs. Pffs. in Error. Joseph S. Friedman. Defendant in Error.

I the undersigned Grant Taggart Clerk of the Supreme Court of the State of California do hereby certify as follows: That in a certain action then pending in

said Supreme Court wherein Joseph S. Friedman was plaintiff against Michael McKay, John Kelso, and Peter Donahue, defendants on the appeal of said defendants from a judgment against them rendered in the District Court of the Fifteenth Judicial District of the State of California, in and for the City and County of San Francisco, by the consideration and judgment of said Supreme Court entered of record Monday 11 A.D. 1875 the said judgment of said fifteenth district Court in favor of said plaintiff Joseph S. Friedman against said defendants, Michael McKay, John Kelso, and Peter Donahue was in all things affirmed as appears of record therein.

That afterwards on the 28th of July A.D. 1875, the petition of said defendants for a rehearing was by the consideration & judgment

of said Supreme Court finally decided as appears of record in said cause.

That afterwards to wit on the 29th day of May A.D. 1875 the remittitur in said cause duly issued from said Supreme Court certifying said judgment of affirmance to said Fifteenth District Court.

That afterwards to wit on the 11th day of August A.D. 1875, the said Michael McKay, John Kelso, and Peter Donahue as plaintiffs in error, sued out their writ of error from the Supreme Court of the United States directed to the Judges of the Supreme Court of the State of California, dated on said 11th day of August A.D. 1875, and the same was on the same day duly served and a copy thereof was lodged in my said office for the said Joseph L. Hildreth defendant in Error therein.

That on the same day to wit,

August A. D. 1875, a citation to the said Joseph S. Friedman said defendant in error was duly served on him pursuant to said writ, whereby he the said defendant, in Error, was cited and admonished to be and appear at a Supreme Court of the United States of America to be held at the City of Washington in the District of Columbia on the Second Monday of October A.D. 1875.

That on the same day to wit, August A. D. 1875, the said plaintiffs in error filed their bond in my office duly approved by the Hon Stephen J. Field a justice of the Supreme Court of the United States, who signed said citation, in the sum of Five thousand dollars $5000, conditioned that if said plaintiffs in Error should prosecute their said writ of error, to effect and answer all costs and damages, if they shall fail to make good their plea, then said

obligation should be void, otherwise to remain in full force and virtue.

In witness whereof I have hereunto set my hand and the seal of said Supreme Court of the State of California this 2d day of November A.D. 1875.

(Seal)

Kant J. Biggart

Clerk."

By Allen Tillinghast Deputy"

and having stated that the plaintiffs in error had altogether failed to file the record of said cause in this Court or in any way to prosecute said writ of Error now here moved the Court in pursuance of the 9th Rule of this Court to have the writ of Error in this cause docketed and dismissed - On consideration whereof it is now here ordered & adjudged in this Court that the writ of Error in this cause to the Supreme Court of the State of California, be, and the same is hereby docketed and

dismissed with costs And that this cause be, and the same is hereby remanded to the said Supreme Court to be proceeded in according to law and justice.

per Mr Chf Jus. Waite.

John H. Russell vs. The United States. Appellant. On consideration of the motion of Mr Assistant Attorney General Smith to docket and dismiss this appeal. It is ordered that unless the appeal is perfected on or before the 1st day of January next the motion to docket and dismiss will be granted. per Mr Ch. Jus. Waite.

George McKay et al. vs. The United States. Appellants. On consideration of the motion of Mr Assistant Attorney General Smith to docket and dismiss this appeal

it appearing to the Court that the certificate of the Clerk as now provided is defective, in that it does not state the names of all the parties Appellant. It is ordered that before any order of dismissal will be made the certificate must be amended in this particular. It is further ordered that unless the appeal in this case is perfected on or before the 9th day of January next, the motion to docket and dismiss will be granted.

per Mr Chf Jus. Waite.

Stephen L. Newcomb vs. Eff, in Error. John Wood assignee of Philip S. Robertson a bankrupt. On consideration of the motion of Mr W. H. Smith to docket and dismiss the writ of Error, in this cause, it is ordered that unless the appeal in this cause is perfected on or before the first Monday in January next the motion now

made to docket and dismiss will be granted. for Mr Chf Jus. Waite.

79. John Miner vs. Thos Pitts Exr &c. Appellant

On the motion of Mr M.H. Moore and stipulation of counsel it is ordered that this cause be and is hereby dismissed for No 68, and for cost.

3 cases. The State of Florida vs. C.C. Andrews Jr. et al. Complainant

On motion of Mr Thomas Wilson in behalf of Mr E.A. Dickinson leave is hereby granted him to file motion to discharge Receiver as to that portion of Railroad and property between Quincy and Chattahoochee Florida.

Henry B. Miller et al. On motion
701. vs. Appellants of Mr J. K.
Morris K. Jessup et al. Gould it is
Isaac Taylor, Sheriff &c. et al. ordered that
702. vs. Appellants. these cases
James F. Seegar et al. be assigned
Herman Lieb et al. and for argu-
703. vs Appellants, ment on
Henry B. Miller et al. the last
Monday
of February next.

The County of Warren The mo
754. vs. Plff in Error tions to
George C. Marcy. dismiss
The County of Warren these ca-
760. vs. Plff in Error, ses were
Augustus T. Post. submit-
The County and of Warren ted to the
761. vs. Plff in Error, consider-
The Portsmouth Sa- ation of
vings Bank. the Court
on print-
ed arguments by Mr Charles M.
Osborne in support of the same

in Nos 759 and 760, and by Mr Isaac G. Wilson in support of the same in No 761, and by Mr George P. Harding in opposition thereto: with leave to Mr Harding to file brief & affidavits by tomorrow.

64. Thomas Pitts Exrs &c. v. The Richmond & Petersburg Railroad Co. Appellants

The argument of this cause was commenced by Mr Ashley Pond and Mr W. H. Moore of counsel for the appellees and concluded by Mr D. B. Duffield of counsel for the appellants.

65. The Propeller Colorado v. Eben N. Hudson &c. Appellant

The argument of this cause was commenced by Mr Geo. S. Hilliard of counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow at Twelve o'clock.

Tuesday December 7. 1875.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.

John G. Nicolay Esquire Marshal
Daniel Tenley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in that behalf by Mr J. G. Abbott it is ordered that John Frelinghuysen Harman Esquire of Princeton State of New Jersey be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Assistant Attorney General Smith, it is ordered that G. C. Hanson Esquire of South Berwick State of Maine be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

141. Jabez A. Sawyer et al. vs. Edward Turpin et al. On motion Appellants Counsel Mr J. G. Abbott leave is hereby granted the Clerk to issue the mandate in this cause.

65. The Propeller Colorado. vs. Elon H. Hudson &c. Appellant. The argument of this cause was continued by Mr George B. Hibbard of Counsel for the appellant by Mr J. G. Abbott and Mr Asbury Pond of counsel for the appellee & concluded by Mr Hibbard for the appellant.

Tuesday December 7. 1875, Continued.

66. August F. Ludwig et al. vs. Appellants. The Propeller Free State &c. The argument of this cause was commenced by Mr W. A. Moore of counsel for the appellants and continued by Mr Geo B. Hibbard of counsel for the appellee.

Proclamation being made the Court is adjourned until 10 tomorrow at twelve o'clock.

Wednesday December 8. 1875.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R Waite Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis Associate
Stephen J. Field Justices
William Strong
Joseph P. Bradley &
Ward Hunt

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr W. A. Moore it is ordered that Hon George H. Durand of Flint State of Michigan be admitted to practice as an attorney & counsellor of this Court & he was sworn accordingly

Wednesday December 8th 1875. Continued.

On motion first made to the Court in this behalf by Mr S S Henkle it is ordered that C. A. Arms Esquire of Washington City District of Columbia be admitted to practice as an attorney & counsellor of this Court & he was sworn accordingly.

Samuel Black et al. vs. The United States. 196. Appellants. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr C. F. Peck of counsel for the appellants, and by Mr Assistant Attorney General Smith of counsel for the appellee under the 20th rule.

The Leavenworth Lawrence and Galveston R. R. Co. vs. The United States. 401. Appellants. On motion of Mr Wm Lawrence leave is hereby granted him to file printed

Wednesday December 8. 1875, Continued

list of documents from the Interior Department in this cause relating to the Osag. Ceded lands in Kansas and Indian Reservations &c.

August T. Lucas &al. The cer-
66. vs. (Appellants gument
The Propeller "Free State" &c. of this
cause
was continued by Mr. Geo. S.
Hubbard and Mr. Ashley Pond
of counsel for the appellees, and
concluded by Mr H. N. Moore
of counsel for the appellants.

John Muir (Submitted for No 68.)
79. vs Appellant This cause was
Thos. Pitt Exr &c &c. argued by Mr H.
N. Moore and
Mr Ashley Pond of counsel
for the appellant and by Mr
H. H. Canfield and Mr D. B.
Duffield of counsel for the
appellee.

Wednesday December 8. 1875. Contd

Caleb Cres et al. vs. Pltfs. in error
67 M. A. Hamilton Exr &c. Defts.

The argument of this cause was commenced by Mr Charles J. Hunt of counsel for the plaintiffs in Error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday December 9. 1875.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis Associate
Stephen J. Field Justices
William Strong
Joseph P. Bradley
Ward Hunt

John G. Nicolay Esquire Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr J. H. B. Latrobe it is ordered that Simeon E. Baldwin Esquire of New Haven State of Connecticut be admitted to practice as an attorney & counsellor of this Court & he was sworn accordingly.

Thursday December 9. 1875 Continued -

On motion first made to the Court in this behalf by Hon T. C. Howe it is ordered that Hon Charles G. Williams of Janesville State of Wisconsin be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr J. L. McPherson it is ordered that Charles Braden jr Esquire of Baltimore State of Maryland be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

29. James Brown et al. vs. Enoch Piper. Appellants. On motion of Mr Geo. M. Hobbs leave is hereby granted the Clerk to issue the Mandate in this cause.-

67 Cruce Sons et al vs. Plff. in Error. M. A. Hamilton & re. The argument of this cause was continued by Mr H. H. Wells, and Mr John H. B. Latrobe of counsel for the defendant in Error and concluded by Mr Charles J. Hunt of counsel for the plaintiffs in Error.

69 The Twin Lick Oil Company of West Va. vs Appellant. William Marbury. The argument of this cause was commenced by Mr John D. McPherson of Counsel for the appellants and continued by Mr Walter S. Cox of counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow at ten o'clock.

Friday December 10. 1875.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller Associate
Stephen J. Field Justices.
William Strong
Joseph P. Bradley
John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr M. T. South. and it is ordered that William L. Gretton Esquire of Philadelphia, State of Pennsylvania be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.—

Friday December 10, 1875 Continued

On motion first made to the Court in this behalf by Mr George W McCreary it is ordered that Thomas J. Henderson Esquire of Princeton State of Illinois and A. J. Baker Esquire of Centreville State of Iowa, be admitted to practice as attorneys & counsellors of this Court & they were sworn accordingly.

On motion first made to the Court in this behalf by Mr J. D. McPherson it is ordered that T. C. Sears Esquire of Ottawa State of Kansas be admitted to practice as attorney & counsellor of this Court and he was sworn accordingly.

The Mayor & Aldermen of the City of Memphis vs Bridget Powers. vs. Appellants Marmaduke E. Ensmeyer & J. J. Sears

Mr E. L. Stanton presented the certificate of the Clerk

and moved the Court under the 9th rule to have this appeal from the Circuit Court of the United States for the Western District of Tennessee docketed & dismissed - Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider -

Francis L. Cardoza
State Treasurer.
805. vs. Peff in Error.
The State of South
Carolina Ex rel
Thomas J. Frazee.

On motion of Mr J. Phillips leave is hereby granted the Clerk to recall the mandate in this cause.

The Twin Lick Oil
Co. of West Virginia.
69. vs. Appellant
William Marbury.

The argument of this cause was continued by Mr Walter S. Cox of counsel and Mr Matthew D. Darridge of

Counsel for the appellee, & concluded by Mr Charles Beaslen jr. of Counsel for the appellants.

David K. Mitchell vs. Plff in Error, The Board of County Commissioners of Leavenworth Ks. et al. — This cause was submitted to the Consideration of the Court on the Record, and printed Arguments by Mr R. M. Aud Quinton Corwine and Mr J. H. English of Counsel for the plaintiff in Error. — No Counsel appearing for the defendants in error. —

To

Ira Beard vs. Mary F. McComb — Appeal from the Circuit Court of the United States for the Southern District of New York.

24.

This cause came on to be heard on the transcript of the Record

from the Circuit Court of the United States for the Southern District of New York, and it appearing to the Court that this is the Second term at which this case has been called for argument, and that neither party is now prepared to argue the same, it is considered by the Court that this cause should be dismissed at the Cost of the appellant pursuant to the 19 rule of this Court: Whereupon it is now here ordered adjudged & decreed by this Court that this cause be, and the same is hereby dismissed with costs - And that this cause be, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr Chf Jus Waite.

Ira G. Munn and George L. Scott
96. vs. Plffs in Error,
The People of the State of Illinois.

(substituted for No 71)
Ordered that this cause be assigned for argument immediately after the cases assigned for the Eleventh of January next.

George A. Kibbe
72. vs. Plff in Error,
Samuel Dillon et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr W. C. Goudy of counsel for the plaintiff in error, and by Mr S. G. Frost for the defendants in Error.

John S. Wells et al.
73. vs. Plffs. in Error,
H. B. Claflin et al.

This cause was submitted to the consideration of the Court on the record

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and printed arguments by Mr W. C. Goudy of counsel for the plaintiffs in Error, and by Mr C. Beasley for the defendant in Error.

74 Ann Kilcrease Widow &c. vs. Olivia C. Race et al. This cause was argued by Mr C. W. Horner of counsel for the plaintiff in Error, and submitted on printed arguments by Mr E. T. Merrick for the defendants in error.

75. James H. Woodford et al. vs. The Canisteo Bank. This cause was argued by Mr Geo. H. Williams of counsel for the plaintiff in Error and submitted on printed arguments by Mr B. Franklin Chapman of counsel for the defendant in Error.

Friday December 10. 1875 Continued.

John H. Butterfield vs. George Usher. Appellant. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr Enoch Totten of counsel for the appellant & by Mr R. T. Merrick of counsel for the appellee.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice.
Nathan Clifford
Noah H. Swayne
Samuel F. Miller Associate
Stephen J. Field Justices.
William Strong
Joseph P. Bradley
Ward Hunt.
John G. Nicolay Esquire Marshal.
Daniel Kelly Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Geo. H. Williams it is ordered that J. W. Douglass Esquire of Washington City District of Columbia be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

On motion first made to the court in this behalf by Mr T. J. D. Fuller it is ordered that Melvin F. Stephens Esquire of Falcon State of New York be admitted to practice as an attorney & counsellor of this court & he was sworn accordingly.-

Rufus K. Sewall admr of Henry Clark decd. vs. John Winslow Jr. et al. — Appellant

52

Appeal from the Circuit Court of the United States for the District of Maine

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maine and was argued by counsel - On consideration whereof it is now here ordered adjudged and decreed by this

Court that the decree of the said Circuit Court in this cause be, & the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to enter a decree in favor of the defendant.

per Mr Justice Hunt.

Dissenting,
Mr Justice Clifford.

The State of Florida
vs. Complainant
E. C. Anderson Jr.
Daniel P. Holland
J Frederick Warringe[illegible] al. } In Chancery

This cause coming on for hearing upon the pleadings and proofs, and being argued by Mr Bisbee for the Complainant and Messrs Jackson, Carpenter and Boyce for the defendants, and the Court having considered of the same

it is now on this 13th day of December 1875, ordered adjudged and decreed that the defendants and each of them be perpetually enjoined from hindering or interfering with or disturbing the State of Florida or any of its officers or agents (including the trustees of the internal improvement fund of said state) or any officer or receiver appointed or acting in its behalf, in the possession management or control of the railroad of the Jacksonville Pensacola and Mobile Railroad Company extending from Lake City Westwardly to or beyond the Chattahoochee river, and from Tallahassee to St Marks with the appurtenances thereof and property belonging thereto; and that Edward C. Anderson jr and other defendants herein, holders of first mortgage bonds

of the Pensacola and Georgia and Tallahassee Railroad Companies, in whose favor a decree was rendered in the United States for the Northern District of Florida on the 19th day of December 1872 directing amongst other things a sale of said railroad be perpetually enjoined from selling or procuring to be sold said railroad & property under or by virtue of said decree, or any decree supplementary thereto in the same case, provided however, that nothing herein is intended to preclude the right of the said Anderson and others to demand and receive from the State of Florida or the said trustees, out of the proceeds of said property, or of said internal improvement fund, or the sinking fund provided in that behalf, respectively, the principal & interest which may be, or may become due on their said bonds; nor to

affect the validity of the said decree except as above expressed & provided further that this decree is not intended to prejudice the right of the defendant, Daniel P. Holland, to contest in any competent Court or proceeding the validity of the bonds issued by the Jacksonville Pensacola & Mobile Railroad Company in exchange for the bonds of the State of Florida under the act of the Legislature of said State passed January 28, 1870, recited in the pleadings in this cause, nor to prejudice any right which said Holland may have to redeem said railroad by the payment of the unpaid purchase money mentioned in the said pleadings with all interest thereon and lawful charges on said road, in case it should be adjudged that the said bonds are invalid.

It is further ordered & decreed that the legal costs and charges of the State of Florida in this cause, and the fees and costs due to the officers of this court therein be allowed and paid out of the moneys in the hands of the Receiver.

It is further ordered that the Receiver do pay out of the moneys in his hands the lawful fees and charges of the master who took the depositions and proofs in the cause, and that he settle his accounts before the Clerk subject to the direction and approval of the Chief Justice.

And all further equities and reservations arising upon the decree, are hereby reserved.

Per Mr Justice Bradley.

J. Sherman Hall and J. H. Lybrand vs. Ralph S. Lanning Jas B. Laing, and Henry Weld.

In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to award a venire facias denovo. per Mr Justice Bradley

Dissenting.

The Phillips & Colby Construction Company. vs. Mark T. Seymour Elijah S. Alexander, J. O. Rutter, & Andrew J. Hopper, who sue for the use of M. T. Seymour, Elijah S. Alexander, and J. O. Rutter

In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel. On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions

to set aside the special verdict of the jury for $11.705.00 and to enter a judgment in favor of the plaintiffs on the general verdict for $107.353 with interest from the 19th day of July 1873 until paid at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

And it is further ordered that if the defendants in Error shall within a reasonable time during the present term of this Court file in the Circuit Court a remittitur of so much of the judgment of that Court in their favor as is based on the special verdict, and produce here a certified Copy of the remittitur then the judgment of reversal here rendered will be set aside and a judgment of affirmance entered in its stead. The defendants in Error to pay costs in this Court. per Mr Jus. Miller.

Reversed and remanded with costs.

	Ira P. Rudd, and S. R. Noe.	In Error to the Circuit Court
58.	vs	of the United
	Pffs. in Error	States for the
	Geo. B. Burrows, assignee of the Estate of	Northern Dis-
	Norton Emmons a bankrupt,	trict of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by Counsel. On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

Per Mr Jus. Swayne.

Monday December 13. 1875 continued.

57. The First Unitarian Society of Chicago vs. Eliz. in Error. H. Boyd Faulkner and George R. Clarke. In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by Counsel. On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs & interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

per Mr Justice Clifford.

Geo. C. Roberts
21. vs. Appellant
William F. Ryer.

Appeal from the Circuit Court of the United States, for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Ch. J. Jus. Waite.

George C Roberts
146. vs. Appellant
Joseph Buck jr

Appeal from the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr Chf Jus. Waite.

James H. Woodford, Henry M. Woodford, Ansel Woodford and Charles Strong
vs
The Commercial Nat. Bank.

In Error to the Circuit Court of the United States for the Northern District of New York.

75.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern

District of New York and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of New York.

per Mr Chf Jus Waite.

Isaac N. Bressler vs. Jeff in Error. Nelson Maxson. Lorenzo Hapgood and Hezekiah Brink. In Error to the Supreme Court of the State of Illinois.

50.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois and was argued by Counsel. On consideration whereof it is now here ordered and adjudged

by this Court that the writ of Error in this cause be, and the same is hereby dismissed for the want of jurisdiction.

per Mr Ch. J. Jus. Waite.

759 The County of Warren vs. Peff in Error, George C. Murray.

760. The County of Warren vs. Peff in Error, Augustus S. Post.

and

761. The County of Warren vs. Peff in Error, The Portsmouth Savings Bank.

On consideration of the motion to dismiss the writs of Error in these causes and of the argument of Counsel thereupon had, as well in support of, as against the same, it is now here ordered by the Court that said motion be, and the same is hereby denied.

per Mr Chief Jus. Waite.)

The Mayor & Aldermen of the City of Memphis and Bridget Powers - vs. Appellants. Marmaduke E. Ensmeger & J. J. Sears. —

Mr E. L. Stanton having filed and read in open Court the following certificate to wit:

"Proceedings had in the Circuit Court of the United States for the Sixth Judicial District of West Tennessee, at a Regular term of said Court begun and held for this November Term A.D. 1873 at the Federal Court Rooms in the City of Memphis in the District aforesaid, on to wit the 27th day of December A.D. 1873 - Hon. Connally F. Trigg U.S. District Judge for said District, presiding.

The Mayor & Aldermen of the City of Memphis Tenn. and Bridget Powers - vs.

Marmaduke E. Enemeyer, and
J. J. Sears. (Cause 87) Equity docket
in said Court.

Order of Court.

Saturday December 27. 1873. Court
met. Present. Hon Connaway F. Trigg,
Judge.

The Mayor &c Aldermen of Memphis and Budget Powers

vs.

Marmaduke E. Enemeyer & J. J. Sears. —

This cause coming on to be heard upon the bill, answer, Exhibits, the argument of counsel, and proofs in the cause, and the proofs referred to, in the agreement of counsel, and the same having been fully argued, and the Court having duly delibera-ted therein. It is ordered adjudged and decreed that no sufficient cause is shown by the complainants for the perpetuation of the injunction heretofore

granted, and the same is ordered to be dissolved.

And it appearing to the satisfaction of the Court that the premises in the pleadings referred to, to wit; on Chickasaw Street 55 4/100 feet by one hundred and seventy, being Lot ten assessed by G. McLane in 1860 - Fifth Civil District, City of Memphis - was duly sold at the time specified in the defendants answer, by the United States District Tax Commissioner, John B. Rogers, E. P. Young, and Delano F. Smith, under the acts of Congress referred to in the pleadings, and it further appearing that at said sale the defendants Marmaduke E. Ensmeyer became the last & highest bidder and the purchaser of said premises and that he hath thereby acquired a title in fee simple to the same, together with a right of possession therein, and that his claim thereto, is no cloud upon

any title held by the complainant. It is further adjudged and decreed that the said M.E. Enonney or have a writ of possession to be issued to the Marshal of the United States for this district, to the end that he may be put into peaceable possession of said premises. And it is further decreed that there be a reference to the Clerk & Master to take an account of the damages suffered by the said defendant by reason of the said injunction and when ascertained that he report the same to this court, and the bill is retained for this cause only. And it is further decreed that the complainant pay the cost of this court for which let execution issue.

And thereupon the plaintiffs pray an appeal from the foregoing decree to the Supreme Court of the United States. And it appearing to the Court, and being agreed by

the parties that the value of the property in controversy exceeds the sum of five thousand dollars, it is ordered that said appeal be granted, and that the plaintiffs within sixty days from this day file with the Clerk of this Court an appeal bond conditioned according to law in the penalty of five hundred dollars, with good and sufficient security to be approved of by the Clerk for the prosecution of the said appeal.

It is further ordered that the bill of exceptions tendered and signed by the Court, be filed as a part of the record which is done accordingly.

Supreme Court of the United States.

Know all men by these presents that we The Mayor & Aldermen and Bridget Powers as principals and John C. Powers as surety are held and firmly bound unto

M. L. Ensmeyer, and J. J. Sears in the sum of five hundred dollars to be paid to the said Ensmeyer and J. J. Sears their Executors and administrators, to which payment, well and truly to be made, we bind ourselves and each of us jointly and severally and Each of our heirs Executors & administrators jointly by these presents. Sealed with our seals & dated this 7th day of January 1874.

Whereas the above named The Mayor and Aldermen of Memphis and Bridget Powers have taken an appeal to the Supreme Court of the United States to reverse the decree rendered in the suit of the Mayor & Aldermen of Memphis and Bridget Powers against said M. L. Ensmeyer & J. J. Sears by the Circuit Court of the United States for the District of West Tennessee.

Now therefore the condition

of this obligation is such that if the above named appellants shall prosecute said appeal to effect and answer all costs if they shall fail to make good their plea then this obligation shall be void otherwise to remain in full force & virtue.

Mayor & Aldermen of
Memphis & Bridget Powers
by W. M. Randolph Atty
John C. Powers
Surety (Seal)

Acknowledged & approved
by me this 6th day of Jany 1874.
H. E Andrews.

(Endorsed) Filed January 6. 1874.
H. E Andrews
Clerk

Circuit Court of the United States
for the Sixth Judicial Circuit & Dis-
trict of West Tennessee ss.

The Mayor and Aldermen of the
City of Memphis Tenn and

Bridget Powers
vs.
Marmaduke E. Enmeyer
and J. J. Sears.

Cause 87
Equity docket
Bill for
Injunction

I, Horace E Andrews Clerk of said Circuit Court, of the United States for the sixth Judicial Circuit and District, of West Tennessee do hereby certify that an appeal from the decree of said Court rendered in the above cause at the November Term 1873 of said Court was duly allowed by said Court to the Supreme Court of the United States to the complainants in said cause- The Mayor and Aldermen of the City of Memphis Tenn. and, Bridget Powers on the 2nd day of December A.D. 1873 which said appeal was duly perfected by said complainants by their filing in said Circuit Court their appeal bond on the

6th day of January A.D. 1874. And I do further certify that the foregoing transcript hereto attached, contains a full true perfect & correct Copy of the original decree & allowance of Appeal & order and of said appeal bond, as the same now appears of record and upon the files of my office in said cause

In testimony whereof I have hereunto set my hand and affixed the Seal of our said Court at my office in the City of Memphis this 24th day of November A.D. 1875, and of the Independence of the United States the 100th year.

Seal

H. E. Andrews
Clerk"

and having stated that the said appellants had altogether failed to file the record of said cause in this Court or in anyway to prosecute said appeal. Moved the

Court in pursuance of the 4th
Rule of this Court to have this ap-
peal docketed and dismissed.
On consideration whereof it is
now here ordered adjudged and
decreed by this Court that this
appeal from the Circuit Court
of the United States for the
Western District of Tennessee
be, and the same is hereby dock
eted and dismissed with costs.
And that this cause be, and the
same is hereby remanded to the
said Circuit Court to be proceed
ed in according to law & justice.
per Mr Ch. Jus. Waite

The Chief Justice announced to
the Bar that the Court will ad-
journ on Friday next to the 3rd
of January 1876.

180. M. M. Wilson
vs. In Error
The State of Missouri.

This cause
was submitted
to the consid-

ration of the Court on the record and printed arguments by Mr Jus. S. Botelford and Mr S. Mc. Smith of counsel for the plaintiff in Error, and by Mr A. H. Buckner for the defendant in Error under the 20th rule.

Daniel Webster
1140. vs. Piff in Error.
C. W. Upton assignee.

This cause was submitted to the Consideration of the Court on the Record and printed arguments by Mr E. Van Buren of counsel for the plaintiff in Error, and by Mr L. H. Boutelle for the defendant in error, under the 20th rule.

Ex parte In the matter
of A. J. Ambler.
8. orig. Petitioner.

Mr George H. Parshal by leave of the Court filed petition for Mandamus in this cause, and submitted the same to the consideration of the Court on

printed argument, on support thereof.

47 The Baltimore & Potomac Railroad Company vs Peff in Error. The Trustees of the Sixth Presbyterian Church. On motion of Mr R. G. Munn it is hereby granted the Clerk to issue the mandate in this cause.

868. The Board of Commissioners of Douglass County et al Appellants vs The Union Pacific R.R. Co. The motion to advance this cause was submitted to the consideration of the Court on printed arguments by Mr J. M. Woolworth in support of the same.

M. A. Zeller widow &c
611 vs. Plff in Error.
Edgar A. Switzer. —

On motion of Mr Jet. Grow leave is hereby granted him to file motion to dismiss in this cause.

Thomas A. Osborne & al.
77 vs. Plffs. in Error.
The United States.

This cause was submitted to the consideration of the Court on the Record and printed arguments by Messrs R. M. & Quinton Converse, J. N. English, Henry Read, and C. H. Ames of counsel for the plaintiffs in Error, and by Mr E. T. Browne for the defendant in Error. —

Charles R. Tyng et al.
75. vs. Plffs in Error
Moses H. Grinnell.

Ordered by the Court that this cause be, & the same is hereby continued to the

next term

Mercy S. Marsh
68. vs. Pfff in Error.
George M Lauckton

In Error to the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia and on the authority of counsel for the plaintiff in error on file, it is now here ordered and adjudged by this court, that the writ of Error in this cause be, and the same is hereby dismissed with costs.

per Mr Chf Jus Waite.

Henry McNeboldt.
80. vs. Appellant
Jas. E. MacFarland.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr

Monday December 13. 1875. continued -

M. Alexander Gordon of counsel for the appellant and by Mr J. A. Campbell, Mr E. M. Hudson, and Mr Walter Hearn for the appellee.

81 Joseph Moore vs Appellant The United States

The argument of this cause was commenced by Mr Joseph Casey of counsel for the appellant

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday December 14-1875.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller Associate
Stephen J. Field Justices
William Strong
Joseph P. Bradley
Ward Hunt.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr E. A. Storrs it is ordered that H. P. Smith Esquire of Chicago State of Illinois be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr W. W. Wishire it is ordered that B. C. Brown Esquire of Little Rock State of Arkansas be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon Thomas F. Bayard it is ordered that Joseph J. Davis Esquire of Louisburg, State of North Carolina be admitted to practice as an attorney & Counsellor of this Court and he was sworn accordingly.

87. Joseph Moore Appellant vs The United States. The argument of this cause was continued by Mr Asst Attorney General Smith of counsel for the appellee & concluded by Mr Joseph Casey of counsel for the appellant.

Gilbert Woodruff et al. This cause
82. vs. Plffs. in Error. was argued
Benjamin F. Hough et al. by Mr H.
K. Wheelon
of Counsel for the plaintiffs in error,
and by Mr John N. Jewett for the
defendants in Error.

Charles R. Tyng et al. On motion
78. vs. Plffs. in Error. of Mr Att.
Moses H. Grinnell. Att'o. Genl
Smith it
is ordered that the order of con-
tinuance entered in this cause
on the 13th inst, be, and the same
is hereby stricken out, and that
the cause stand as passed.

Jay Cooke & Co On motion of
2?5. vs. Plffs. in Error. Mr Assistant
The United States. Attorney Genl
Smith leave
is hereby granted the Clerk to
issue the Mandate in this cause.

Tuesday December 14. 1875, continued

J. Sherman Hall et al vs. Plffs. in Error. John Deane

83. This cause was argued by Mr E. A. Storrs of counsel for the plaintiffs in error, and submitted on printed arguments by Mr W. Penn Clarke for the defendant in Error.

Henry B. Lewis et al. vs. Plffs. in Error. The Michigan Central Railroad Company

84. Ordered that this cause be, and the same is hereby passed until tomorrow.

The New Lamp Chimney Company. — vs. Plff. in Error, The Arsonia Brass and Copper Company.

85. This cause was argued by Mr John M. Martin of Counsel for the plaintiff in Error and submitted on printed arguments by Mr D. D. Lord of Counsel for the

defendants in Error.

Robert Dow
vs. Piff. in Error.
David Humbert et al. Def's

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr E. Marmes & Mr M. St. Carpenter of counsel for the plaintiff in Error, - No counsel appearing for the defendants in Error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday December 15, 1875.

Pursuant to adjournment the Court met to day at the Capitol

Present

The Honorable Morrison R. Waite Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller Associate
Stephen J. Field Justices.
William Strong
Joseph P. Bradley &
Ward Hunt.

John F. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr P. Phillips it is ordered that Dudley M. Rose Esquire of Washington, State of Georgia be admitted to practice as an attorney & counsellor of this Court, and he was sworn accordingly. —

On motion first made to the Court in this behalf by Mr Ossian Ray it is ordered that Geo A. Bingham Esquire of Littleton State of New Hampshire be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon W. P. Lynde it is ordered that F. W. Holzhausen Esquire of Milwaukee State of Wisconsin be admitted to practice as an attorney & Counsellor of this Court & he was sworn accordingly.

On motion first made to the Court in this behalf by Mr H. E. Paine it is ordered that Richard H. Cruttenden Esquire of Brooklyn State of New York be admitted to practice as an attorney & Counsellor of this Court & he was sworn accordingly.

Henry B. Lewis et al. This cause
84. vs Plffs. in Error. was argued
The Michigan Central by Mr E. A.
Railroad Company. Storrs of
Counsel for
the plaintiffs in Error, and by
Mr W. P. Smith of Counsel for
the defendant in Error. -

David G. Sawin Ordered by the
87. vs Plff in Error. Court that
D. G. Kenney et al. this cause
be, and the
same is hereby passed for the present.

James Dunlap et al. Ordered by
88. vs. Appellants. the Court
John Dymond et al. that this
Cause be,
and the same is hereby postponed
to the foot of the docket. -

Charles Watts
89. vs. Pfff in Error.
The Territory of
Washington.

This cause was argued by Mr Asst Attorney General Smith of counsel for the defendant in error & submitted on printed argument by Mr Nathaniel Wilson of counsel for the plaintiff in Error.

The Grand Trunk
Railway Company of
Canada.
91. vs. Pfff in Error.
R. M. Richardson et al

The argument of this cause was commenced by Mr Ossian Ray of counsel for the plaintiff in Error

George A. Kibbe
92. vs. Pfff in Error
Samuel Ditto et al.

On motion of Mr Wilson in behalf of Mr Gordy

Leave is hereby granted to file reply brief in this cause.

73 John S. Wells et al. vs. H. B. Claflin. Plffs. in error

On motion of Mr Whilton in behalf of Mr Bentley

Leave is hereby granted to file reply brief in this cause.-

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday December 16th 1875.-

Pursuant to adjournment the Court met to day at the Capitol

Present

The Honorable Morrison R. Waite Chief Justice.
Nathan Clifford

Samuel F. Miller, Associate
Stephen J. Field " "
William Strong "
Joseph P. Bradley "
Ward Hunt "

John G. Nicolay Esquire Marshal.
Daniel Mercer Messenger Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr P. Phillips it is ordered that William D. Shipman Esquire of New York City and Wallace Pratt Esquire of Kansas City State of Missouri be admitted to practice as attorneys & counsellors

of this Court and they were sworn accordingly.-

On motion first made to the Court in this behalf by Hon J. W. Johnston it is ordered that James H. Gilmore Esquire of Marion State of Virginia be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.-

Frederick J. Meyer et al. assignees &c.
546. & s. Plffs. in Error.
Max Hellman assignee &c.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr W. T. Forrest of counsel for the plaintiffs in error, and by Mr Adam A. Kramer for the defendants in error under the 20th rule.-

The Grand Trunk Railway Co. of Canada
91 vs. Piff. in Error.
R. M. Richardson et al.

The argument of this cause was continued by Mr Osman Ray of counsel for the plaintiff in error, by Mr H. E. Paine for the defendant in error, and concluded by Mr J. N. Bingham for the plaintiff in Error.

John Muller et al.
97 vs. Pelts. in Error
Louis Ehlers.

(substituted for No 93)
This cause was argued by Mr F. H. Cotzhausen of counsel for the defendant in Error & submitted on printed argument by Mr M. N. Carpenter for the plaintiffs in Error.

The Mutual Benefit Life Insurance Company.
94. vs. Pelts. in Error
Hattie B. Tisdale

This cause was argued by Mr E. L. Stanton & Mr S. T.

Pennington of counsel for the plaintiffs in error and submitted on printed arguments by Mr George Crane of counsel for the defendant in error.

95. The City of Memphis vs. The United States ex rel Dallemadge & Brown. Appellant. Ordered by the Court that this cause be, and the same is hereby continued to the next term.

96. Reuben J. Holmes. vs. Plff in Error Jas. D. Johnson & ux. Ordered by the Court that this cause be, and the same is hereby passed for the present.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Friday December 17, 1875.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice
Nathan Clifford
Samuel F. Miller Associate
Stephen J. Field Justices.
William Strong
Joseph P. Bradley
Ward Hunt.

John G. Nicolay Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr George W. Paschal it is ordered that Henry F. Severens Esquire of Kalamazoo State of Michigan be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

Friday December 17. 1845. Continued-

588 The United States vs. Archibald McKee et al. Appellants

This cause was submitted to the Consideration of the Court on the record & printed arguments by Mr Solicitor General Phillips of Counsel for the appellants and by Mr Penn Clarke for the appellees under the 20th rule.

843 Joshua Converse vs. The City of Fort Scott Pleff in Error

This cause was submitted to the Consideration of the Court on the record and printed arguments by Mr G. C. Dixon of counsel for the plaintiff in Error, and by Mr A. L. Williams for the defendant in Error under the 20th rule.

Friday December 17. 1875, Continued -

Levi R. Morrill admr of John H. Porter deceased. vs Pff in Error
The Mutual Benefit Life Insurance Comp'y of Newark N.J.

Mr E. L. Stanton presented the certificate of the Clerk & moved the Court under the 9th rule to have the writ of Error in this cause to the Circuit Court of the United States for the District of Indiana docketed & dismissed Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

J. Sherman Hall et al. vs Pff. in Error. John Weare.

Mr N. A. Cluke in open Court consented that Mr E. A. Storrs have leave to file reply brief in this cause.

Marie A. A. Pollard. This cause
93. vs. Plff in Error was argued
Jacob Tyson by Mr A.G.
Riddle and
Mr Joseph H Bradley of counsel
for the plaintiff in Error and
by Mr W. L. Cox for the defendant
in Error.

Reuben Wright. This cause
98. vs. Plff in Error was argued
Jonas M. Tebbetts. by Mr George
W. Paschal
of counsel for the plaintiff in error,
and by Mr R. D. Mussey for the
defendant in Error.

On motion being made the
Court adjourned until Monday
the third day of January
at twelve o'clock.

Monday January 3rd 1876.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller Associate
David Davis Justices
William Strong
Joseph P. Bradley
Ward Hunt.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made & the Court in this behalf by Mr. E. L. Goode it is ordered that William Matthews Esquire of San Francisco State of California and Wells Drummond Esquire of Washington City District of Columbia be admitted to practice as attorneys and Counsellors of this Court. They were sworn accordingly. —

On motion first made to the Court in this behalf by Mr C. D. Peck it is ordered that Edward N. Munford Esquire of McMinnville State of Tennessee be admitted to practice as an attorney & Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr P. Phillips it is ordered that George L. Paddock Esquire of Chicago State of Illinois be admitted to practice as an attorney & Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon George F. Edmunds it is ordered that E. N. Hewitt Esquire of Keeseville State of New York be admitted to practice as an attorney & Counsellor of this Court & he was sworn accordingly.

On motion first made & the Court in this behalf by Mr George H. Williams it is ordered that John D. Charles Esquire of Denver Territory of Colorado be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.-

On motion first made to the Court in this behalf by Hon. M. H. Carpenter it is ordered that Chester H. Krum Esquire of St Louis State of Missouri be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

Ex parte In the matter of A. J. Amoler. Petitioner.- On consideration of the motion & petition filed by Mr George H. Paschal for a writ of Mandamus to the Judges of the Supreme Court of the District

of Columbia in this cause it is now here ordered by the Court that said motion be, and the same is hereby denied.

per Mr Chf Jus Waite -

868. The Board of Commissioners of Douglass Co. et al. Appellants. vs. The Union Pacific Railroad Co. et al. - On consideration of the motion to advance this cause it is now here ordered by the Court that said motion be, and the same is hereby denied. per Mr Chf Jus Waite.

887. Levi R. Morrell admr of John H. Porter decd. Plff in Error. vs. The Mutual Benefit Life Insurance Company of Newark New Jersey. Mr E. L. Stanton of Counsel for the defendant in Error having filed and read in open court the following Certificate to wit:

"Circuit Court of the United States for the Seventh Judicial Circuit, and District of Indiana.

Levi R. Mornil admr
of the estate of John H.
Porter deceased.
vs. Plaintiff
The Mutual Benefit Life
Ins. Co. of Newark N. Jersey.
Defendant.

I, J. D. Howland Clerk, of said Circuit Court of the United States for the Seventh Judicial Circuit and District of Indiana do hereby certify, that a writ of Error to the Supreme Court of the United States, was duly sued out from the office of the Clerk of said Circuit Court of the United States, on the 16th day of February 1875, and citation thereupon was duly issued to the above named defendant, to show cause why

the judgment in said writ mentioned which said judgment was entered in said Circuit Court on the 15th day of December 1871 should not be corrected, which said proceedings in Error were duly perfected by said plaintiff by filing his bond in said Circuit Court on the 18th day of February 1875.

In testimony whereof I have hereunto set my name and affixed the seal of our said Court at my office in the City of Indianapolis Indiana this 13th day of December 1875, and of the Independence of the United States the 100th year.

(Seal)

J. D. Howland
Clerk

And having stated that the plaintiffs in Error had altogether failed to file the record of said cause in this Court, or in any way to prosecute said writ of Error. Mood

the Court in pursuance of the 9th rule of this Court to have the writ of Error in this cause docketed and dismissed. Consideration whereof it is now here ordered and adjudged by this Court that the writ of Error in this cause to the Circuit Court of the United States for the District of Indiana, be, and the same is hereby docketed and dismissed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr Ch[illegible] Jus. Waite.

880. John Henderson et al. vs Pltffs. in Error. N. H. Wickham Mayor of New York et al. Mr Ticell moved the Court to be permitted to the consideration of the Court no-

how to advance this cause: Whereupon this Court not being now here sufficiently advised of & concerning what order to render in the premises took time to consider.

Henry A. Farwell
31. vs. Pff in Error.
James W. Converse et ab.
and
George W Long et ab
32. vs. Pffs in Error
James W. Converse et ab.

On motion of Mr Lippitt, ordered that leave be, and the same is hereby granted the Clerk to issue the mandates in these cases.

The Mutual Life Insurance Company of New York.
35 vs. Pff. in Error
J. Morrison Harris assignee &c.

On motion of Mr Buckley leave is hereby granted him to file motion in this cause. Assigned for argument on Monday the 17th instant.

87. Daniel C. Sawin vs. Peff in Error. Dennis J. Kenney and Thomas Foley. Mr M. H. Carpenter of Counsel for the defendants in error suggested the death of Daniel C. Sawin the plaintiff in error in this cause, and moved the Court for an order under the 15th rule to make the proper representatives parties On consideration whereof it is now here ordered by this Court that unless the proper representatives of the said Daniel C Sawin deceased as aforesaid shall voluntarily become parties within the first ten days of the ensuing term of this Court, the defendant in Error shall be entitled to have the writ of Error in this cause dismissed Provided that a copy of this order shall be printed in some newspaper at the seat of government in which the laws of the United

States shall be printed by authority for three successive weeks at least sixty days before the beginning of the term of the Supreme Court next ensuing ..

Asa Hodges
119 vs Plff. in Error
Milton Vaughn

Mr Carpenter of counsel having suggested the death of Milton Vaughn the defendant in error in this cause, and moved the Court for leave to enter the appearance of Mary A. Speake administratrix of the said Milton Vaughn deceased. On consideration whereof it is now here ordered that Mary A. Speake administratrix of the estate of the said Milton Vaughn deceased as aforesaid, be entered as the defendant in Error in this cause with liberty to Exist this writ of Error.

Tobias D. Jamison Daniel Conner, John H. Rice, Vining Crawford, J. H. Keene, John Hudson, J. K. Triplett, Isaac Wheeler, M. H. Stephens, Jose O. P. Vidal, Thomas Gourley, N. Lewis, A. Conrad, J. Keene, W. L. Stephens, Wm Lamb, P. Guthrie, J. Moor, Francisco Verdal, & Patrick Moore.

vs.

Theodore Le Roy.

Mr E. L. Sevelle of Counsel for the defendant in Error presented the certificate of the Clerk, & moved the Court

Pltffs. in Error

under the 9th rule to have the writ of Error in this cause to the Circuit Court of the United States for the District of California docketed and dismissed - Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider

Monday January 3. 1876. continued

Charles A. Nichols assignee. On mo-
22. vs. Appellant. tion
Amasa M. Eaton et al. of Mr
C. F.
Peck leave is hereby granted the
Clerk to issue the mandate in
this cause. -

The State of Wisconsin On motion
6 orig: vs. Complainant of Mr Paine
The City of Duluth et ab leave is hereby
granted him
to file replication in this cause. -

The State of Florida Mr Birney
3 orig: vs. Complainant asked and
E. G. Anderson Jr. et al. obtained leave
to file mo-
tion for an order on the receiver
in this cause, requiring him to
deliver possession of certain rail-
roads &c. Motion filed and assigned
for argument on Monday the 17th inst.

3 orig: vs The State of Florida Complainant
E. C. Anderson Jr. et al.

Mr Jones asked and obtained leave to file motion for an order on the receiver in this cause to compel him to pay the account of The Rogers Locomotive Works - Filed and assigned for argument on Monday the seventeenth instant.

643 - vs The United States Appellants
William Allison

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr Solicitor General Phillips of counsel for the appellants, and by Mr J. A. Garfield and Mr J. Daniels for the appellee.

99 vs Susan P. Allen Appellant
Thomas D. Allen

This cause was argued by Mr Joseph

A Bradley of counsel for the appellee, and submitted on printed arguments by Mr M Thompson for the appellant.

T. J. Haines et al, trustees &c. vs. Charles Carpenter Exr &c. — 1100. — Appellants. — This cause was submitted to the consideration of the Court on the Record and printed argument by Mr Joseph Casey of counsel for the appellant. No counsel appearing for the appellee.

The State of North Carolina vs. Charles Dewey, assignee of the Bank of North Carolina a Bankrupt The Trustees of the University of North Carolina. Charles Manly et al. — 101. — Appellants — Appeal from the Circuit Court of the United States for the Eastern District of North Carolina.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of North Carolina, and the appellant having been three times solemnly called by the Marshal to come into Court and prosecute this appeal and failing to appear. It is thereupon on motion of Mr S. F. Phillips of counsel for the appellees now here ordered adjudged and decreed by this Court that this cause be, and the same is hereby dismissed with costs.

per Mr Chf Jus Waite.

1102. Jane F. Haywood et al. vs. Plffs. in Error. Charles Dewey assignee &c. and John G. Blount. 1103. vs. Plff. in Error. R. C. Windley. — On motion of Mr S. F. Phillips it is ordered that these cases be, and the same are hereby passed without prejudice.

Myra Clark Gaines
104. vs. Pff. in Error
Joseph Fuentes et al.

Ordered that this cause be passed until after the argument of the cases assigned for the 11th instant. -

Milwaukee & St Paul Railroad Company.
105. vs. Pff. in Error.
Mary A. F. Arms.

Ordered that this cause be and the same is hereby passed without prejudice. -

Edwin Reeder and Eliza Reeder. -
106. vs. Pffs. in Error
Walter Crane.

In Error to the Circuit Court of the United States for the Eastern District of Michigan. -

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District

of Michigan and on the motion of Mr D. B. Duffield of counsel for the plaintiffs in Error, it is now here ordered and adjudged by this Court that the writ of Error in this cause be, and the same is hereby dismissed with costs.

per Mr Ch Jus Waite.

Edwin Reeder Eliza Reeder and Thomas Reeder
vs. Pltfs. in Error.
Walter Crane.

In Error to the Circuit Court of the United States for the Eastern District of Michigan.

107

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Michigan, and on the motion of Mr D. B. Duffield of counsel for the plaintiffs in Error, it is now here ordered and adjudged by this Court that the writ of Error in this cause be, and the same is hereby dismissed with costs per Mr Ch Jus Waite.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday January 4. 1876.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller Associate
David Davis Justices.
William Strong
Joseph P. Bradley
Ward Hunt.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr N. H. Sharples it is ordered that Charles Swayne Esquire of Philadelphia State of Pennsylvania, be admitted to practice as an attorney & counsellor of this Court & he was sworn accordingly.

87. Daniel C. Sawin vs. Plff in Error. Dennis J. Kenney, and Thomas Foley - Mr. McA. Gardner suggested the death of Thomas Foley one of the defendants in Error in this cause and moved the Court that the cause abate as to him: Whereupon: Whereupon it is now here ordered by the Court that the cause abate as to Thomas Foley.-

87. Daniel C. Sawin vs. Plff in Error Dennis J. Kenney - On motion of Mr D. Corcoran it is ordered that Catharine F. Sawin adm[x]. of Daniel C. Sawin, deceased be entered as the party plff in Error in this cause in the place of said Daniel C. Sawin deceased as aforesaid. with liberty to prosecute this writ of Error.-

Ex parte In the matter of the application of John H. Russell.

Mr Grow of counsel moved the Court for leave to John H. Russell to docket the appeal taken by him in the case of The United States vs Henry M. Rector et al. in cases No 640, 692, & 772, in this court which was opposed by Mr Charles King of counsel for Rector: On consideration whereof it is ordered by the Court that on the payment by said John H. Russell of one fourth of the costs incurred by the parties appellants in cases Nos 646 692, and 772 in procuring the transcript from the Clerk of the Court of Claims that he have liberty to use said transcript.

Mr Grow also moved the Court that said Russell be allowed to give a bond to the Clerk of this Court to secure the costs under Rule 10 instead of making a deposit in

money, which was opposed by Mr P. Phillips, in behalf of the Client.

The First Unitarian Society of Chicago. vs. Pff. in Error. H. Lloyd Hardner & Geo. R. Clarke. — On motion of Mr D. Cowne leave is hereby granted the Clerk

57.

to issue the Mandate in this cause.-

The Manhattan Life Insurance Company vs. Pff. in Error. R. S. Burt. — This cause was submitted to the consideration of the Court on the record & printed arguments by Mr H. B. Pittman of Counsel for the plaintiff in Error, and by Mr W. P. Harris and Mr Owen McGarr for the defendant in Error under the 20th rule.

391.

Wm. N. Norver assignee &c. This cause
608. vs. Pfff. in Error, was sub-
Abraham Wise et al. mitted
to the
consideration of the Court on the
record and printed arguments
by Mr J. H. B. Latrobe of Counsel
for the plaintiff in Error, and by
Mr N. Boyce for the defendants
in Error under the 20th rule -

The Board of Liquidation This cause
of the State of Louisiana &c. was sub-
609. vs. Appellants mitted
Henry S. McComb. to the
consider-
ation of the Court on the record
and printed arguments by Mr
T. A. Campbell and Mr J. D. A. Fel-
lows of Counsel for the appellants
and by Mr Thomas J. Semmes
and Mr Robert Mott for the appel-
lee under the 20th rule.

Tuesday January 4. 1876. Continued -

634. Desire St. Chaffraix vs. Arthur Shiff. Appellant. This cause was submitted to the consideration of the court on the record & printed arguments by Mr C. Robinson of counsel for the appellant and by Mr J. A. Campbell for the appellee under the 20th rule.

730. Frank A. Olis et al. vs. Henry B. Cullum recvr. Pffs. in Error. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr A. J. & Enos of counsel for the plaintiffs in Error, and by Mr Geo R. Peck for the defendant in Error under the 20th rule.-

Tuesday January 4. 1876. Continued.

Sarah E Lloyd et al. This cause was
108. vs. Appellants argued by Mr
M. C. Fulton trustee &c. P. Phillips of
counsel for
the appellants & by Mr John D.
Pope for the appelled.

Thomas E. Williams et al. Ordered
109. vs. Appellants that this
Thomas B. Florence et al. cause be
passed

for the present.

Rufus Baker et al The argument
110. vs. Plffs. in Error. of this cause
Henry S. White was commenced by Mr
Charles E. Perkins of counsel for
the plaintiffs in Error.

Proclamation being made the
Court is adjourned until to-
morrow at twelve o'clock.

Wednesday January 5, 1876.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice,
Nathan Clifford
Noah H. Swayne
Samuel F. Miller Associate
David Davis Justices
Joseph P. Bradley Jr
Ward Hunt.
John G. Nicolay Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made in the Court in this behalf by Mr P Phillips it is ordered that William H. C. Ellis Esquire of Norfolk State of Virginia, W. A. Maclerson Esquire of Philadelphia State of Pennsylvania, and George E. Bird Esquire of Portland State of Maine, be admitted to practice as attorneys and

Counsellors of this Court and they were sworn accordingly.-

On motion first made to the Court in this behalf by Mr J. M. Cary. it is ordered that J. C. Gregory Esquire of Madison State of Wisconsin be admitted to practice as an attorney and counsellor of this Court & he was sworn accordingly.

110 Rufus Baker et al. Pffs in Error. vs. Henry S White. The argument of this cause was continued by Mr A. P. Hyde of counsel for the defendant in Error & concluded by Mr C. E. Perkins for the plaintiffs in Error.-

111. Lee Dunlap Pff in Error vs. The State of North Carolina. Ordered by the Court that this cause be & the same is hereby postponed to the foot of the docket

112 The Fort Wayne Muncie and Cincinnati R. R. Co. vs Pltff. in Error. Thomas G. Gaylord, Benjamin B. Gaylord, Jared B. Green, Charles S. Green, and William Eden. In Error to the Circuit Court of the United States for the District of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana, and on the authority of Counsel for the Plaintiff in Error on file, it is now here ordered and adjudged by this Court that the writ of Error in this cause, be, and the same is hereby dismissed with costs.

per Mr Chf. Jus: Waite

Wednesday January 5. 1876. Continued

113. J. Young Scammon vs. Mark Kimball assignee &c. Appellant. Ordered that this cause be, and the same is hereby passed until tomorrow.

114. Thomas Slater Smithdeal vs. William Vogdes assignee &c. Appellants. This cause was argued by Mr A. H. Sharpless & Mr Richard C. McMurtrie of counsel for the appellants and by Mr William A. Maudeson for the appellee.

115. The Delaware Lackawanna and Western Railroad Company vs. Joseph Warren assignee. Plff. in Error.

116. The Delaware Lackawand and Western Railroad Company vs. Joseph Warren assignee &c. Appellant.

Wednesday January 5, 1876. Continued -

The National City Bank of New York. and

117. vs. Plff. in Error.

Joseph Warren assignee &c. -

The argument of these cases was commenced by Mr F. J. Frelinghuysen of counsel for the Plaintiff in Error and continued by Mr S. S. Rogers of counsel for the defendant in Error. -

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday January 6, 1876.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R Waite Chief Justice -
Nathan Clifford
Noah H Swayne
Samuel F. Miller Associate
David Davis Justices.
Joseph P. Bradley &
Ward Hunt.
John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon Geo. H. McCrary it is ordered that Hon A. E Stevenson of Bloomington State of Illinois be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr B H Hill it is ordered that R F Lyon Esquire of Macon State of Georgia be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

John Henderson et al. pffs. in Error
880. vs.
N. H. Wickham Mayor of New York et al

On consideration of the motion of Mr Nicoll it is ordered that this cause be advanced & assigned for argument with No 478.

Ira P. Rudd et al. pffs. in Error
58. vs.
Geo. B. Burrows assignee of the Estate of Norton Emmons a bankrupt

On motion of Mr M. H. Carpenter leave is hereby granted the Clerk to issue the mandate in this cause.

The Milwaukee & St Paul Railway Company
105. vs. Pfaff in Error
Mary A. F. Armsdal.

On the application of Counsel it is ordered that this cause be substituted for No 120 and that No 130 be argued with No 127.

Charles H. Dillon
vs.
Thomas Davis.

Mr C. C. Nourse Appellant presented the Certificate of the Clerk and moved the Court under the 9th Rule that this appeal from the Circuit Court of the United States for the District of Iowa be docketed and dismissed. Whereupon this Court not being now here sufficiently advised of & concerning what order to render in the premises took time to consider.

A. N. Lancaster vs. Plff in Error L. Bullis

Mr C. C. Nourse presented the Certificate of the Clerk and moved the Court under the 9th rule to have the writ of Error in this cause to the Circuit Court of the United States for the District of Iowa docketed and dismissed. Whereupon this Court not being now here sufficiently advised of and concerning what order to enter in the premises took time to consider.

115. The Del. Lack & Western R.R.Co vs Plff. in Error Joseph Warren assignee &c. The Pa. R.R. Co. vs Appellant Joseph Warren assignee &c.

116.

and

117. The National City Bk of N. York vs Plff. in Error Joseph Warren assignee &c

The argument of these cases was continued by Mr J. S. Rogers of counsel for the de-

defendants in error, and appellee & concluded by Mr F. T. Frelinghuysen of counsel for the plaintiffs in Error & appellant.

J. Young Scammon
113. vs. Appellant and
Mark Kimball appellee

This cause was argued by Mr M. H. Carpenter of counsel for the appellant and by Mr John L. Thimpson of counsel for the appellee.)

The Western Union
Telegraph Company
118. vs. Pfff, in Error,
Charles Eyser,

This cause was argued by Mr J. H. Ashton of counsel for the plaintiff in Error, and by Mr J. H. Denver for the defendant in Error. –

The Milwaukee and St Paul R. R. Co's — (submitted for No 130.)
115.— vs. Plff. in Error. The argument of this cause
Mary A. F. Armstrong et al. was commenced by Mr John H. Cary of counsel for the plaintiff in Error.—

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday January 7. 1876.

Pursuant to adjournment the Court met to day at the Capitol

Present.

The Honorable Morrison R. Waite Chief Justice.
Nathan Clifford
Noah H. Swayne
Samuel F. Miller Associate
David Davis Justices.
William Strong
Joseph P. Bradley
Ward Hunt
John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in his behalf by Hon. W. P. Lynde it is ordered that L. L. Ainsworth Esquire of West Union State of Iowa be admitted to practice as an attorney & counsellor of this Court, and he was sworn accordingly.-

Friday January 7. 1876. Continued.

On motion first made to the Court in this behalf by Mr L. D. Woodworth it is ordered that N. B. Billingsley Esquire of New Lisbon, State of Ohio be admitted to practice as an attorney & Counsellor of this Court and he was sworn accordingly.

Michael Cureey vs. Appellant
Charles B. Wood. Mr E. H. Stough-ton presented the Certificate of the Clerk

and moved the Court under the 9th rule to have the appeal in this cause docketed and dismissed; Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

153

Friday January 7. 1876. Continued.

John Forsyth
176. vs. Appellant
Mark Kimball
assignee &c.

Ordered by the Court that this Cause be, and the same is hereby continued

to the next term.

C. D. Harvey assignee of S. G. Hamilton a bankrupt vs Plff. in Error S. G. Hamilton and Martha A. Hamilton.

Mr A. E. Stevenson presented the certificate of the Clerk and moved the Court under the 9th rule to have the writ of Error in this cause docketed and dismissed. Thereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider. --

Friday January 7. 1876. Continued.

584 The Union Pacific Railroad Company vs. Samuel E. Hall & J. H. Morse. In Error. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr A. J. Poppleton of counsel for the plaintiff in Error and by Mr John A. Rogers for the defendants in Error, under the 20th rule.

729 George O. Marcy & Al. vs. The Township of Oswego. In Error. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr Alfred Ennis and Mr A. L. Williams of counsel for the plaintiff in Error, & by Mr A. G. Weis for the defendant in Error under the 20. rule.

Desire A. Chaffraix
634 vs Appellant
Arthur Shiff,

On motion of Mr C. Robinson leave is hereby granted him to file reply brief in this cause.

Marshall O. Roberts et al.
surviving trustees &c.
534 vs. Appellants
The United States.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr Thomas Wilson of counsel for the appellants, and by Mr Solicitor General Phillips for the appellees under the 20th rule.

The Milwaukee and
St Paul Railway Co
105 vs. Pff. in Error.
Mary A. F. Arms et al.

(substituted for No 130) The argument of this cause was continued by Mr J. M. Carey of counsel for the

plaintiff in Error by Mr C.C. Nourse for the defendant in error, and concluded by Mr Cary for the plaintiff in Error. –

Asa Hodges
114 vs. Pff in Error
Mary A. Speake Exx
of Milton Vaughn deed

This cause was submitted to the consideration of the Court on the record and printed argument by Mr A. H. Garland of counsel for the defendant in Error – No counsel appearing for the plaintiff in Error.

Samuel S. Smoot.
121 vs. Pff in Error
Chas E. Rittenhouse

This cause was argued by Mr T. T. Crittenden of counsel for the plaintiff in Error. The Court declined to hear further argument in the case.

Friday January 7. 1876. Continued.

122. John M. Miller vs Plff in Error. Wells, Fargo & Co. Ordered by the Court that this cause be and the same is hereby passed for the present.—

123. Charles Stebbins et al. vs Pltffs in Er. William Rutherford The argument of this cause was commenced by Mr H. A. Meloy of counsel for the defendants in Error.—

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday January 10. 1876.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice,
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis } Associate
Stephen J. Field } Justices
William Strong
Joseph P. Bradley
Ward Hunt.

John G. Nicolay Esquire Marshal.
Daniel Ashley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr R. D. Mussey it is ordered that William J Marshall Esquire of Fitchburg State of Massachusetts be admitted to practice as an attorney & Counsellor of this Court and he was sworn accordingly.

5558

On motion first made to the Court in this behalf by Mr Q. A. Brown-ing it is ordered that M. E. Cutts Esquire of Oskaloosa State of Iowa be admitted to practice as an attor-ney and counsellor of this Court and he was sworn accordingly.-

August F. Ludwig, Ernest Allenberger and Andrew Eymer. vs. The Propeller "Free State" her Engines &c, The Western Trans-portation Co. Claimant.

66. Appellants

Appeal from the Circuit Court of the United States for the East-ern District of Michigan

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Michi-gan and was argued by Counsel On consideration whereof it is now here ordered adjudged & decreed by this Court that the decree of

the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Hunt.

Henry M. Noblett } Appeal
80. vs Appellant } from the
Jas. E. MacFarland } Circuit
Court of
the United States for the District
of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Hunt.

The Mutual Benefit Life Insurance Company. In Error to the Cir-
94 vs. Plff. in Error. cuit Court
Hattie D. Tisdale of the United
States for the District of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa, and was argued by counsel. On consideration whereof, it is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to award a new trial.

per Mr Justice Hunt.

Richard L. Wallach
Charles N. Wallach &
James M. C. Wallach
62. 25 Appellants
John Van Reswick,

Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr Jus Strong.

634 Desiré A. Chaffraix vs Arthur Skiff. — Appeal from the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby Reversed with costs - And that this cause be, and the same is hereby Remanded to the said Circuit Court with directions to dismiss the complainants' bill.

Per Mr Justice Strong.

The Iron Clad Co. of West Virginia
69. vs Appellant
William Marbury.

Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Supreme Court, in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Miller

Gilbert Woodruff, Horace Brown, & Geo. S. Haskell
82. vs Plffs. in Error
Benj. F. Hough, Jos. R. Hough & Thos. H. Bulles.

In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

per Mr Justice Miller.

588 The United States Appellants. vs Archibald McKee & Amanda Turner, John T. Turner her husband, Josiah McKee, Archibald McKee Jr., Shannon McKee & Wesley McKee. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by Counsel On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed. per Mr Justice Miller

Dissenting
Mr Jus Clifford.
" " Hunt.

Mr Justice Davis did not sit on the argument of this cause and took no part in the decision.

Sarah McMurray, Appeal from the
Isaac S. Hollidge, Supreme Court
Justice &c. of the Dis-
59. vs. Appellant trict of Co-
Austin P. Brown. lumbia.

This cause came on to be heard

on the transcript of the record from the Supreme Court of the District of Columbia and was argued by Counsel On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Clifford.

John Miner
vs. Appellant
Thomas Potts Executor
of H Norton Strong
dcd claimant of
the Bark "Sunnyside"

Appeal from the Circuit Court of the United States for the Eastern District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Michigan and was argued by Counsel. On consid-

dration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with Costs. And that this cause be, & the same is hereby remanded to the said Circuit Court with directions to enter a decree affirming the decree of the District Court.

Per Mr Justice Clifford.

83. The New Lamp Chimney Company vs. Pfl. in Error. The Ansonia Brass and Copper Company. In Error to the Supreme Court of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, and

was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause, be, and the same is hereby affirmed with costs.

per Mr Justice Clifford.

Marie A. N. Pollard. In Error
93. vs. Plff. in Error to the Supreme Court
Jacob Lyon. of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia & was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr Jus. Clifford.

60. John H. Kennard vs. Plff. in Error. The State of Louisiana & Col Philip Hickey Morgan — In Error to the Supreme Court of the State of Louisiana

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by Counsel. On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

Per Mr Chf Jus. Waite.

70. David H. Mitchell vs. Plff in Error. The Board of County Commissioners of Leavenworth Kansas, Alexander Repine Treasr, & Thomas Leonard Sheriff of said County. — In Error to the Supreme Court of the State of Kansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr Chf Jus. Waite.

Charles Watts
89 vs Plff. in Error.
The Territory of
Washington.

In Error to the
Supreme Court
of the Territory
of Washington

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Washington and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this

Court that the writ of error in this cause be, and the same is hereby dismissed for the want of jurisdiction.

per Mr Chief Jus. Waite.

76. John W. Butterfield vs. George Usher. Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the appeal in this cause be, and the same is hereby dismissed for the want of jurisdiction.

per Mr Ch. Jus. Waite.

Henry B. Lewis. Abner M. Lewis, & Wm. M. Brooks Jr. vs. The Michigan Central R.R. Co. — In Error to the Circuit Court of the United States for the Northern District of Illinois.

84

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs. Justices Swayne and Hunt dissented in opinion

97. John Muller and John Zimmer vs. Plffs. in Error, Louis Ehlers. In Error to the Circuit Court of the United States for the Eastern District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Wisconsin and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Chf Jus. Waite.

Reuben Wright } In Error to the
98 vs. Pfff in Error } Supreme Court
Jonas M Tebbits. } of the District
of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the District of Columbia.

per Mr Chf Jus. Waite.

Susan B. Allen } Appeal from the Su-
99 vs. Appellant } preme Court of the Dis-
Thomas D. Allen. } trict of Columbia.

This cause came on to be heard

on the transcript of the record from the Supreme Court of the District of Columbia and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr Chf Jus. Waite.

Samuel S. Smoot, In Error
121. vs. Peff, in Error, to the Su-
Charles E. Rittenhouse preme
Court
of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by Counsel. On consideration whereof it is now here ordered & adjudged by this court that the judgment

of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr Chf Jus. Waite.

Samuel Black, Richard Richard H. & Wm. A. Martin) vs Appellants
The United States.

Appeal from the Court of Claims.

496.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed.

per Mr Chief Jus. Waite.

The State of Florida Complainant vs E. C. Anderson Jr. et al.

3-orig.

The fees of the Commissioners appointed to take testi-

money in this cause, and of the several issues examined by him, and of the Marshal for Execution of process, having been taxed by the Clerk amounting in the aggregate to five hundred and four dollars and seven cents; It is ordered that the Receiver do pay the same out of any moneys in his hands.

Tobias B. Jamison, Daniel Corner, John H. Rice, Irving Crawford, S. H. Keene, John Hudson, J. K. Tripplett, Isaac Nichols, N. H. Stephens, Jose C. P. Vidal, Thomas Gormley, T. Lewis, A. Conrad, J. Keene, W. L. Stephens, William Lamb, S. Guthrie, J. Moor, Francisco Verdal, and Patrick Moore

894 vs. Pffs. in Error,

Theodore Le Roy.

Mr E. L. Goold having filed and read in open Court the following certificate to wit:

"In the Circuit Court of the United

States for the Ninth Judicial Circuit in and for the District of California.

Theodore De Roy Plaintiff.

vs.

Tobias D. Jamison, Daniel Conner, John H. Rice, Vining Crawford, S. H. Keene John Hudson, J. K. Tripp, Sam Mathews, W. H. Stephens, Jose C. Vidal, Thomas Gunby, W. Lewis, A. Conrad, J. Keene, W. L. Stephens, Wm. Lum. S. Guthrie, J. Moore, Francisco Vidal, and Patrick Moore - Defendants.

No 1204.

I Lorenzo S. B. Sawyer Clerk of the Circuit Court of the United States for the District of California in the Ninth Judicial Circuit do hereby certify that a writ of Error (a copy of which is hereto annexed) was duly sued out by said defendants and allowed in the above entitled cause and a copy thereof lodged in my office for the above named plaintiff on

the 19th day of July A.D. 1875.

Seal

Witness my hand, and the seal of said Circuit Court this 13th day of December A.D. 1875.

L. S. B. Sawyer, Clerk,
by J. F. C. Beerne
Deputy Clerk.

United States of America ss:
The President of the United States of America -

To the Judges of the Circuit Court of the United States for the District of California, in the ninth judicial Circuit, -

Greeting:

Because in the record and proceedings, and also in the rendition of the judgment of a plea which is in the said Circuit Court before you, between, Tobias B. Jamison, Daniel Cornet, John H. Rice, Vining Crawford, S. H. Keene, John Hudson,

F. A. Triplett & Isam Wheelis W. H. Stephens, Jose C. P. Vidal, Thomas Downey, W. Lewis, A. Conrad, J. Keene, W. L. Stephens, Wm. Lunt, P. Guthrie, J. Moor, Francisco Verdal, and Patrick Moore, plaintiffs in Error, and Theodore Le Roy defendant in Error, a manifest error hath happened to the great damage of the said plaintiffs in error as by their complaint appears, and it being fit that the error if any there hath been should be duly corrected, and full and speedy justice done to the parties aforesaid in this behalf You are hereby commanded if judgment be therein given, that then and under your seal distinctly & openly you send the record and proceedings aforesaid with all things concerning the same to the Supreme Court of the United States of America together with this writ so that you have the same at the City of Washington in the

District of Columbia on the 2nd Monday of October next, in the said Supreme Court to be then and there held, that the record & proceedings aforesaid be inspected the said Supreme Court may cause further to be done therein to correct that error, what of right and according to law & custom of the United States should be done.

Witness the Honorable Morrison R. Waite Chief Justice of the Supreme Court of the United States this 19th day of July in the year of our Lord One thousand Eight Hundred & Seventy-five, and of the Independence of the United States the One Hundredth.

(Signed) L. S. B. Sawyer
Clerk.

The above writ of Error is hereby allowed
(Signed) Stephen J. Field
Associate Jus of U.S. Supreme Court.

United States of America.
Circuit Court of the United States
Ninth Judicial Circuit. District
of California.

I, Lorenzo S. B. Sawyer Clerk of the Circuit Court of the United States of the Ninth Judicial Circuit, in and for the District of California do hereby certify the annexed to be a true copy of the original writ of Error sued out in the above entitled cause, now on file and remaining of record in my office that I have compared the same with said original, and that the same is a correct, transcript therefrom, and of the whole of said original.

In testimony whereof, I have hereunto set my hand and affixed the seal of said Court at San Francisco this 13th day of December A.D. 1875.

Seal

L. S. B. Sawyer
Clerk
by J. F. O'Beirne - Deputy "

and having stated that the plaintiffs in Error had altogether failed to file the record of said cause in this Court, or in anyway to prosecute said writ of Error, moved the Court in pursuance of the 9th rule of this Court to have the writ of Error in this cause docketed and dismissed. On consideration whereof it is now here ordered and adjudged by this Court that the writ of error in this cause to the Circuit Court of the United States for the District of California be, and the same is hereby docketed and dismissed with costs And that this cause be, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr Chief Jus Waite

A. N. Lancaster
895 vs. Plff in Error
S. J. Bullis.

T. M. C. C.
Court of
Counsel for
the defend-
ant in Error having filed & read
in open court, the following certif-
icate to wit:

"United States Circuit Court,
District of Iowa.

I, George B. Corthell
Clerk of the United States Circuit
Court for said District do hereby
certify that in case of S. Bullis
plaintiff against A. N. Lancaster
defendant, said Court did on the
16th day of October A.D. 1874 render
judgment for plaintiff against
said defendant. That said defend-
ant sued out a writ of Error from
the Supreme Court of the United
States to said Court, and that
on the 16th day of December
A.D. 1874, said Circuit Court
signed a citation, and approved
defendants writ of Error bond.

In witness whereof I hereunto subscribe my name & affix the seal of said Court at my office in Des Moines in said District, this 28th day of December A.D. 1875.

(Seal)

George B. Corkhill
Clerk Circuit Court
Dist of Iowa.
by E. R. Mason, Deputy."

and having stated that the Plaintiff in Error had altogether failed to file the record of said cause in this Court or in any way to prosecute said writ of Error, moved the court in pursuance of the 9th rule of this court to have the writ of Error in this cause docketed and dismissed. On consideration whereof it is now here ordered and adjudged by this Court, that the writ of Error in this cause to the Circuit Court of the United States for the District of Iowa, be and the same is hereby

docketed and dismissed with costs - And that this cause be and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr Chf Jus. Waite.

Charles H. Dalton Appellant
896. vs.
Thomas Davis.

Mr C. C. Nourse of counsel for the Appellee having filed and read in open court the following certificate to wit:

"United States Circuit Court, } ss.
District of Iowa. }

I, George B. Corkhill Clerk of said Court for said District do hereby certify that in the case of Thomas Davis complainant against Charles H. Dalton respondent, said Court did at the May Term of 1874, to wit, on the 11th day of June A.D. 1874, render a decree for said Complainant against said respondent

and that said respondent prayed an appeal to the Supreme Court of the United States which was allowed, and respondent did on the third day of August A.D. 1875, file in my office his appeal Bond which was duly approved by the Court.

In testimony whereof I hereto subscribe my name and affix the seal of said Court at my office in Des Moines in said District this 28th day of December, A.D. 1875.

Seal

George B Corkhill
Clerk U.S.C.C. Dist of Iowa,
by E. R. Mason, Deputy"

and having stated that the appellant had altogether failed to file the record of said cause in this Court or in anyway to prosecute said appeal, Move the Court in pursuance of the 9th rule of this Court to have this appeal docketed

and dismissed. On consideration whereof it is now here ordered adjudged and decreed by this Court that this appeal from the Circuit Court of the United States for the District of Iowa. be. and the same is hereby dockered and dismissed with costs. And that this cause be. and the same is hereby remanded to the said Circuit Court to be proceeded in according to law & justice.

per Mr Chf Jus. Waite.

847. Michael Cureey vs. Charles B. Wood. Appellant. Mr E. W. Stoughton of counsel for the appellee having filed and read in open court the following certificate to wit:

"Circuit Court of the United States
Southern District of New York.
Second Circuit.

Charles B. Wood
vs. Appellee } In Equity.
Michael Cureey, Appt.

I Kenneth G White. Clerk of the Circuit Court of the United States for the Southern District of New York, in the second Circuit, do hereby certify that a petition of appeal, and bond on appeal were filed in my office by the above named appellant on the 13th day of July 1875, and a citation issued on the same day & filed with admission of service endorsed thereon. That I was requested by the attorney for the appellant to make up and certify the record to be sent to the Supreme Court of the United States: that said record was made up, and the attorney was notified that it was ready, but he has never directed the same to be delivered to him or forwarded to the Supreme Court, nor has he paid or offered to pay the Clerks fees thereon.

In witness whereof, I have

hereunto subscribed my name and have caused the seal of said Court to be affixed this 22d day of November in the year of Our Lord One thousand Eight Hundred and Seventy five & of the Independence of the United States of America the one hundredth.

Seal

Kenneth G. White
Clerk."

and having stated that the said appellant had altogether failed to file the record of said cause in this Court or in anyway to prosecute said appeal. Moved the Court in pursuance of the 9th rule of this Court to have this appeal docketed & dismissed. On consideration whereof it is now here ordered adjudged and decreed by this Court that this appeal from the Circuit Court of the United States for the Southern District of New York be and the same is hereby

docketed and dismissed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law & justice

per Mr Chf Jus Waite.

Charles D. Harvey assignee of Lorenzo D. Hamilton a bankrupt. vs. Plff. in Error.
898. Lorenzo D. Hamilton, & Martha A. Hamilton

Mr A.E. Stevenson of counsel for the defendant in Error

having filed and read in open court the following certificate to wit:

"United States of America. } ss.
Southern District of Illinois }

S. J. M. Jones, Clerk of the Circuit Court of the United States, in and for the Southern District of Illinois, do hereby certify that on the 6th day of March 1875, in case of Charles D. Harvey assignee in bankruptcy of Lorenzo D. Hamil-

low, against Lorenzo D. Hamilton and Martha A. Hamilton, decree was rendered in favor of defendants, and I do further certify that on said 6th day of March an appeal was allowed to the Supreme Court of the United States and that record has been made out and forwarded by me to said Supreme Court.

In testimony whereof I have hereunto set my hand and seal of said Circuit Court at Springfield in said District this 27th day of December 1875.

Seal

J. A. Jones Clerk.

And having stated that the plaintiff in Error had altogether failed to file the record of said cause in this Court or in anyway to prosecute said writ of Error. Moved the Court in pursuance of the 4th rule of this Court to have this writ of Error docketed and dismissed - On consideration whereof it is now here ordered and

adjudged by this Court that the writ of Error in this cause to the Circuit Court of the United States for the Southern District of Illinois be, and the same is hereby dismissed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr Chief Jus Waite.

George McKay and William W. Gill. vs. The United States. Appellants. Mr Hirst and Attorney General Smith of Counsel for the appellee having filed and read in open court the following certificate to wit:

'In the Court of Claims of the United States.'

George McKay & Wm W. Gill vs. The United States. } No 6244.

I certify that a judgment was rendered in this cause in the Court of Claims, April 26. 1875, in favor of the defendants and dismissing the petition of said George McKay and William N. Gill, and that an application for the allowance of an appeal to the Supreme Court of the United States was filed by said, George McKay and William N. Gill, and the same allowed by the Court of Claims, May 17, 1875.

In testimony whereof I hereto set my hand and affix the seal of said Court of Claims this "7" day of December A.D. 1875.

Seal

John Randolph
Asst Clk Ct of Claims"

and having stated that the said appellants had altogether failed to file the record of said cause in this Court or in anyway to prosecute said appeal moved the Court in pursuance of the 9th rule of this

Court to have this appeal from the Court of Claims docketed and dismissed. On consideration whereof it is now here ordered and adjudged by this court that this appeal from the Court of Claims be and the same is hereby docketed and dismissed - And that this cause be, and the same is hereby remanded to the said Court of Claims to be proceeded in according to law and justice.

Per Mr Chf Jus. Waite.

43. The Town of Concord vs The Portsmouth Savings Bank. Pltff. in Error.

On motion of Mr G. H. Williams it is ordered that this cause be assigned for reargument on Tuesday, the 21st instant

Edwin M. Lewis, Trustee of Jay Cooke & Co. vs. The United States. — On motion of Mr Hst. & Mr Sent & Simons it is ordered that this cause be advanced & assigned for argument on the 1st Monday in February next.

866 Appellant

Michael M'Kay et al. vs. Joseph J. Friedman. — Mr M. Blair of counsel for the plaintiffs in Error having suggested to the Court that the plaintiffs in Error were prepared to file the record and have their cause docketed pursuant to the rules of this Court moved the Court to rescind and annul the judgment entered on the 6th of December last docketing and dismissing this writ of Error. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the 6th ultimo docketing and dismissing this writ

863. Pffs in Error.

of Error, be, and the same is hereby rescinded & annulled, and that the plaintiffs in Error have leave to file their cause, and have the same docketed in conformity to the rules of this Court upon payment of costs.

/s/ Mr Chf Jus. Waite.

658. - Robert B. Boling Pff in Error, vs. Gustavus Lerner

The motion to dismiss this cause was submitted to the consideration of the Court on the printed arguments by Mr James V. Brooke and Mr J. K. Tucker in support of the same, and by Mr C. Robinson in opposition thereto.

Magdalena A. Zeller
widow &c. et al.
611 vs Plffs. in Error
Edgar A. Switzer. -

The motion
is dismiss
this cause
was submit
ted to the
Consideration of the Court on print-
ed arguments by Mr John A.
Grow in support of the same &
by Mr E. T. Merrick and Mr
G. H. Lee in opposition thereto.

Proclamation being made the Court
is adjourned until tomorrow at
twelve oclock.

Tuesday January 11. 1876

Pursuant to adjournment the Court met to day at the Capitol

Present.

The Honorable Morrison R Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis Associate
Stephen J. Field Justices.
William Strong
Joseph P. Bradley &
Ward Hunt.

John J. Hoofay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon O. H. Browning it is ordered that William Woodburn Esquire of Virginia City State of Nevada be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

Tuesday January 11. 1876. Continued.

On motion first made to the Court in this behalf by Mr J. M Harlan it is ordered that E. Y. Parsons Esquire of Louisville State of Kentucky be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Solicitor General Phillips it is ordered that Allan Rutherford Esquire of Wilmington State of North Carolina be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr M. I. Southard it is ordered that A. W. Train Esquire of Zanesville State of Ohio be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

On motion first made to the court in this behalf by Mr M. H. Carpenter it is ordered that Joseph B. Brannan Esquire of Boston State of Massachusetts be admitted to practice as an attorney & counsellor of this court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr J. B. Sanborn it is ordered that Jonathan W. Childs Esquire of Washington City District of Columbia be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

896. Charles Dalton vs Thomas Davis. Appellant

Mr O. M. Browning of counsel for the appellant having suggested to the court that the appellant was prepared to file the record and have this cause docketed pursuant to the rules of this

Court, moved the Court to rescind and annul the order entered on the 10th instant docketing & dismissing this appeal - On consideration whereof it is now here ordered by this Court that the order of the 10th instant docketing and dismissing this appeal be & the same is hereby rescinded and annulled, and that the appellant have leave to file his cause and have the same docketed in conformity to the rules of this Court upon payment of costs. -

per Mr Chf Jus. Waite.

R. Dudley Frazer
v Julius A. Taylor.
1876. - vs. Appellants.
Anthony C. Lane.

Appeal from the District Court of the United States for the Northern District of Mississippi.

This cause came on to be heard on the transcript of the record from the

District Court of the United States for the Northern District of Mississippi, and on motion of Mr M.H. Carpenter in behalf of counsel for the appellants. it is now here ordered adjudged and decreed by this court that this cause be, and the same is hereby dismissed with costs.

Per Mr Chf Jus. Waite.

R. Dudley Frazer & Julius H. Taylor. 796. vs. Appellants Anthony C. Lane.

On motion of Mr Carpenter leave is hereby granted the Clerk to issue the mandate in this cause.

The Phillips & Colby Construction Compy. 414. vs. Pelf. in Error. Mark D. Seymour. Elijah L. Alexander. J. O. Rutter & Andrew J. Hopper, who sue for the use of M.D. Seymour E.L. Alexander & J. O. Rutter.

Mr Matt H. Carpenter in behalf of counsel for defendant in Error presented in open court

certified copy of mandate entered in the Circuit Court of the United States for the Northern District of Illinois in this cause, and moved the Court in pursuance of the suggestion on the judgment of reversal entered on the 13th December last that said judgment be rescinded & annulled, and that a judgment of affirmance be entered. Whereupon it is now here ordered by the Court that the judgment of reversal entered in this cause on the 13th of December last, be, and the same is hereby rescinded and annulled and judgment of affirmance entered.—

The Phillips Valley Construction Company. } In Error to the Circuit Court of the United States for the Northern District of Illinois.
vs.
Mark T. Seymour, Elijah Kennedy, L. O. Fuller & Andrew J. Hopper, who sue for the use of Mark T. Seymour Elijah Kennedy & L. O. Fuller.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by Counsel. On consideration whereof it appearing to this Court that the judgment of the said Circuit Court is for a larger sum than should have been entered and the said defendant in Error having filed here in open court a certified copy of a remittitur in the following words, viz:

"Circuit Court of the United States. Northern District of Illinois Mark T. Seymour et al. vs. The Phillips & Colby Construction Company.

And now come the above named plaintiffs by Cooper and Whitman their attorneys and in accordance with the opinion of the Supreme Court of the United States in the writ of Error to this Court wherein

the above named defendant is plaintiff in error, and the above named plaintiffs are defendants in Error; and now show and read unto by Court here now produced from the Justices thereof moved in this cause, the sum of three thousand seven hundred and eight dollars (Interest from the date of the entry of said judgment) which was found by the jury in their special verdict herein and assessed to the plaintiffs as their damages for "the extra cost of doing earth work by trains on certain sections between forty and forty six" and which was included in the judgment in this cause, and they pray the Court here to award the said judgment to the sum of One hundred and seven thousand three hundred fifty three dollars, and forty four cents the amount of the damages assessed by the jury in their general verdict

and that such execution may be made now as of and for the day of the date of the entry of such judgment"

And also a certified copy of the order of said Circuit Court entered thereon as follows: viz:

"This day came the plaintiffs by their attorneys and file with the Clerk a remittitur in writing by which they remit from the judgment heretofore entered in this cause the sum of Eleven thousand seven hundred and eight dollars found by the jury in their special verdict and assessed by them as the damages of the plaintiff for "the & the costs of doing earthwork by hauls on certain sections between forty and forty six" and which was included in the judgment as heretofore entered; and also at this same time they show and read to the Court here a duly authenticated copy of the opinion of the Supreme Court of the United

States filed in the writ of Error
Thereupon to this court, wherein the
above named defendant is plaintiff
in Error, and the above named
plaintiffs are defendants in Error,
And thereupon it is by the Court
ordered that leave be, and the same
is hereby given to the said plain-
tiffs to remit the said sum of Elev-
en thousand seven hundred and
eight dollars in accordance with
the said opinion, that the judg-
ment herein be reduced to the sum
of One hundred and seven thousand
three hundred and fifty three dollars
and forty four cents being the amount
of the damages assessed by the said
jury by their general verdict, and
that such reduction be made now
as of the date of the entry of the said
judgment. And further ordered that
a copy of the said remittitur and
of this order be certified to the said
Supreme Court."

Thereupon it is considered

ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed dismissing from the said judgment of the said Circuit Court the amount so remitted as aforesaid with interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Illinois. the defendants in Error to pay costs in this Court.

Per Mr Justice Miller.

The United States Commissioner of
588. vs. Appellant, Mr H. Kerr,
Archibald McKeehal Clerks leave
is hereby given
to the Clerk to issue the mandate
in this cause.

Henry W. Reator On the appli
616. vs Appellant cation of counsel
The United States. ordered that four

hours be allowed each side in the argument of this cause.

The Chicago Burlington and Quincy Railroad Co. appellant
552. vs.
McGraw Atty. Genl. et al.

On motion of Mr Brown. ordering four hours allowed each side in the argument of this cause.

William McEniry & Hill appellants
798 vs.
Wm Brackett et al

This cause was submitted to the consideration of the Court on the record & printed arguments by Mr G. V. McGary of Counsel for the appellants and by Mr J. S. Clark for the appellees, under the 30th rule.

The Town of Coloma in Error.
535. vs.
David M. Eaves.

This cause was submitted to the consideration of the Court on the record & printed arguments,

by Mr Charles M. Cooper of counsel for the plaintiff in Error, & by Mr James Grant for the defendant in Error, under the 20th rule.

The State of Florida ex rel. Jno. C. Williamson et al vs. Jno. C. Anderson et al

The motion of the Complainant by Mr James D. Gibbs for an order to discharge the Receiver in this cause from the care of, and to turn over to him the said Gibbs the Railroad and property belonging thereto, as the Circuit Court of Duval County, Florida, was argued by Mr E. A. Dickerson in favor of said motion.

123 Charles Hall et al vs. Wm. Rutherford

Plffs. in Error.

The argument of this cause was continued by Mr W. A. Maloy of counsel for the plaintiffs in Error, & by Mr W. S. Cox for the defendant in Error and

continued by Mr. J. G. Ridde for the plaintiffs in error.

The Chicago Burlington (Assigned) and Quincy R. R. Co The argu-
552. vs. Appellant. ment of
M. E. Cutts Atty Genl this cause
was com-
menced by Mr. H. D. Scarborough Jr counsel for the appellant, and continued by Mr M. E. Cutts for the appellees.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday January 12, 1876

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice.
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis — Associate
Stephen J. Field — Justices
William Strong
Joseph P. Bradley
Ward Hunt.

John F. Stanley Esqr. Marshal.
Daniel Delany Middleton Clerk

Proclamation being made the Court is opened

On motion first made in the Court in this behalf by Mr. H. T. Helmuysen it is ordered that Jehiel G. Shipman Esquire of Belvidere State of New Jersey be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly

J. K. Warren et al vs. Sherman Short Late Collector.

556. Pffs. in Error

The motion to advance this cause was submitted to the consideration of the Court by Mr Asst Attorney General Smith in support of the same.--

The Steamship "Juniata" The Philadelphia and Southern Mail Steamship Company, claimants. C. Schneider et al. - vs. Appellants. The Good Intent Tow Boat Company.--

677

Appeal from the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and on the stipulation of counsel for

the respective parties on file, and on motion of Mr James H Yonnett it is now here ordered adjudged and decreed by this Court, that this cause be, and the same is hereby dismissed with costs.

per Mr Ch. Jus. Waite.

563. The Chicago & Burlington and Quincy Railroad Co. Appellant, vs. M. E. Cutts Atty Gen. Dak

The argument of this cause was continued by Mr E. Cutts of counsel for the appellees, and by Mr C. K. Browning for the appellant.

Proclamation being made the Court is adjourned until tomorrow, at twelve o'clock.

Thursday January 13. 1876.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis — Associate
Stephen J. Field — Justices.
William Strong
Joseph P. Bradley
Ward Hunt.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon Thomas Kernan it is ordered that Nelson Smith and Wm Allen Jenner Esquires of New York City be admitted to practice as Attorneys and Counsellors of this Court, & they were sworn accordingly.

On motion first made to the Court in this behalf by Mr E. H. Mum ford it is ordered that Hon. Casey Young of Memphis State of Tennessee be admitted to practice as an attor ney and counsellor of this Court & he was sworn accordingly -

893. Daniel Hand vs. Thomas C. Dunn Compt. General of South Carolina. In Error

The motion to dismiss this cause was re-sub mitted to the consideration of the Court, on printed argu ments by Mr J. J. D. Miller and Mr D. T. Corbin in sup port of the same, and by Mr T. Phillips in opposition thereto.

892. James and Squire Williams vs. The United States. Appellants

Mr Evans was sub mitted to the consideration of the Court on the

Record and printed arguments by Mr E. S. Todd of counsel for the appellants and by Mr. Solicitor General Phillips for the appellee under the 20th rule.

Office of Arthur College. On mo-
834 vs. Writ in Error tion of
Jno. P. Cummings et al. Michael
Attorney
General Smith and counsel of
counsel for defendant in Error
leave is hereby granted him to take
from the Clerks Office the original
Record in this cause for temporary
use.

The Chicago Burlington The argu-
and Quincy R. R. Co. ment of
552. vs. Appellant this cause
M. E. Curtis Atty Genl. was con-
cluded by
Mr O. H. Browning of Counsel
for the appellant

Chig Lung
1178. vs. Pltff in Error.
J. H. Beeman et al.

On motion of Mr C. L. Scott leave is hereby granted him to file Brief on this cause for the defendant in error, at any time before the 26th instant

Chig Lung
1178. vs. Pltff in Error.
H. Beeman et al.
and
John Henderson et al.
880 vs Appellants
D. H. Markland Mayor
of New York et al.

The argument of these causes was commenced by Mr Edwards Pierrepont of Counsel for the plaintiff in Error in No 1178, and continued by Mr James Emott of Counsel for the appellants in No 880.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock

Friday January 14. 1876.

Pursuant to adjournment the Court met this day at the Capitol

Present

The Honorable Morrison R. Waite Chief Justice.
Nathan Clifford
Noah H Swayne
Samuel F. Miller
David Davis Associate
Stephen J. Field Justices.
William Strong
Joseph P. Bradley Jr.
Ward Hunt.

John G. Nicolay Esquire Marshal.
Daniel Henry Middleton Clerk.

Proclamation being made the Court is opened.

The State of Florida } Mr M. H.
vs. Complainant } Carpenter
E. C. Anderson Defdt. } in behalf
of D. P.
Holland, filed motion to continue Receiver in this cause. assigned for argument on Monday the 17th inst.

Friday January 14th 1876 Continued

John Forsythe	vs.	Appellant
Mark Kimball		Assignee..

On motion of Mr W.C. Gourley Ordered that the order of continuance entered in this cause on the 7th inst be, and the same is hereby stricken out.

John Forsythe	vs.	Appellant
Mark Kimball		Assignee.

This cause was submitted to the Court on the record & printed arguments by Mr W.C. Gourley of counsel for the appellant, and by Mr John L. Thompson of counsel for the appellee

Friday January 14. 1876. Continued.

The Sisters
178. vs. Plff in Error
J. H. [illegible] et al
and
[illegible] Emerson et al.
880. vs. Appellants
W. H. Wickham. Mayor
of New York et al

(Assigned) The
argument
of these causes
was resumed
by Mr James
O'Neill of coun-
sel for the
appellants
& Mr Sohier
& Dicey, & Mr Francis Vinton of
Counsel for the appellees, & concluded
by Mr Evarts for the appellants
in Case No 880.

Ira Y. Munn et al. (consolidated
296. vs. Plffs in Error, for No 71. and
The People of the State (assigned)
of Illinois. The argu-
ment of
this cause was commenced by Mr
W. C. Young of Counsel for the Plain-
tiffs in Error. —

Proclamation being made the Court is ad-
journed until Monday next at twelve o'clock.

Monday January 17, 1876.

Pursuant to adjournment, the Court met to day at the Capitol.

Present,

The Honorable Morrison R. Waite Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis — Associate
Stephen J. Field — Justices.
William Strong
Joseph P. Bradley
Ward Hunt

John G. Nicolay Esquire Marshal.
Daniel Ticknor Middleton Clerk.

Proclamation being made the Court is opened.

On motion prick made to the Court, in this behalf by Mr W. H. Smith it is ordered that H. H. Green, Esquire of Mount Vernon State of Ohio be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly. –

On motion first made to the Court in this behalf by Mr J. H. Ashton it is ordered that Isaac P. Martin Esquire of New York City be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

81. Joseph Moore, Appellant, vs The United States, Appellee. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed.

per Mr Jus Bradley.

Dissenting
Mr Jus Field

Mr Justice Davis did not sit on the argument & took no part in the decision of this cause.

T. J. Kanis et al Trustees of the Vicksburg Baptist Church.

100. vs. Appellants. Appeal from the Circuit Court of the United States for the District of Louisiana.

Charles Carpenter Executor, M. B. Carpenter, C. Carpenter, George T. Frezeant et al.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Bradley

The Grand Trunk Railway Company of Canada vs. Roswell M. Richardson John Lynch and P. Baker, Jr. Assignees of D. G. Knight deceased and J. Brown.

In Error to the Circuit Court of the United States for the District of Vermont.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Vermont, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Vermont.

Per Mr Justice Strong.

180. M. M. Hilton Pltff in Error vs. The State of Missouri Def in Error to the Supreme Court of the State of Missouri.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby reversed with costs and that this cause be, and the same is hereby remanded to the said Supreme Court with direction to Enter a judgment reversing the judgment of the Circuit Court of Henry County, and directing that Court to discharge the defendant from imprisonment, and suffer him to part without day.

Mr. Justice Field

	Rufus Baker and Isaac F. Graham assignees of the Cadeus Rubber Company	In Error to the Circuit Court of the United States for the District of
110	vs. Fitts in Error. Henry S. White	Connecticut

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Connecticut and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the writ of Error in this cause be, and the same is hereby dismissed for the want of jurisdiction.

per Mr Justice Miller.

	Sarah E. Loyd, and Minerva E. Loyd	Appeal from the Circuit
108.	vs. Appellants	Court of the
	Montraville E. Hudson as trustee for Virginia F. Fuelon	United States for the Northern

District of Georgia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Georgia, and was argued by counsel - On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with Costs.

per Mr Justice Swayne.

Thomas Slater Smith, Esther A. his wife and James S. Jenkins Appellants. vs. William Rogers assignee of Thomas Slater Smith a bankrupt.

Appeal from the Circuit Court of the United States, for the Eastern District of Pennsylvania.

111

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs and that this cause be, and the same is hereby remanded to the said Circuit Court with directions to dismiss the bill.

per Mr Jno. Swayne.

113. J. Young Scammon vs. Mark Kimball assignee of the Mutual Security Insurance Company a bankrupt. — Appeal from the Circuit Court of the United States for the Northern District of Illinois

This cause came on to be heard on

Monday January 17. 1876. Continued.-

the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by Counsel On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings and decree to be had therein in conformity with the opinion of this Court.

per Mr Jus. Clifford

Dissenting
Mr Jus. Davis.

Mr Justice Strong did not sit during the argument, and took no part in the decision of this cause.

The Delaware Lackawana and Western Railroad Company. Appellant
vs. } Appeal from the Circuit Court of the United States for the
Joseph Thieren assignee in bankruptcy of the Hinds- worth Iron Works. Northern District of New York.

This cause came on to be heard on the manuscript of the record from the Circuit Court of the United States for the Northern District of New York and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to reverse the judgment of the District

Court, and directed that Court to enter judgment in favor of the defendant there.

per Mr Chief Justice Waite

The Delaware, Lackawana, and Western Railroad Co. Appellant
116. — vs. — Appellant
Joseph Warren assignee in bankruptcy of the Wadsworth Iron Works. Appeal from the Circuit Court of the United States for the Northern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York, and was argued by Counsel On consideration whereof it is now here ordered adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby

reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court, with instructions to reverse the decree of the District Court and to direct that Court to dismiss the bill.

per Mr. Chf Jus. Waite.

The National City Bank of New York. In Error to the
117. vs. Riff, in Error. Circuit
Joseph Warren assignee Court
in bankruptcy of the of the
Hainsworth Iron Works. United
States,
for the Northern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the Northern District of New York, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the

said Circuit Court in this cause be, and the same is hereby reversed with costs And that this cause be, and the same is hereby remanded to the said Circuit Court with instructions to reverse the judgment of the District Court and to direct that Court to enter judgment in favor of the defendant there.

per The Chief Justice

Asa Hodges
vs. Pff in Error
Mary A. Spake
admr of Milton
Langham deceased

In Error to the Circuit Court of the United States for the Eastern District of Arkansas.

119.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment

of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Arkansas. —

per Mr Chf Jus. Waite.

J. K. Thorn et al vs. Pltfs in Error
556 Sheridan Shocklee et al

On motion of Mr Asst Attorney Genl Smith it is ordered that this cause be advanced and assigned for argument on Tuesday the 8th of February next.

Swan B. Allen vs. Thomas D. Allen
99 Appellants

On motion of Mr J. K. Bradley leave is hereby granted the Clerk to issue the mandate in this cause.

William Burdell et al vs. Augustus Denig et al.
128 Pltfs. in Error

Mr William Lawrence of counsel

for the plaintiffs in Error suggested the death of William E. Ide, one of the defendants in error in this cause, and moved the Court for such order in the premises as will make the Exors of said Wm. E. Ide dec'd, a party defendant in Error in this cause. Whereupon this Court, not being now here sufficiently advised of & concerning what order to Render in the premises took time to consider.

James Barclay, A. C. McCallum, Jn Er
v. / John L. Rhoades, G. W. ror &
Clark & Adam Jacobs, Jr. the Cir
1163. vs. Pltfs in Error — cuit
John S. McMillin, John Schaf- Court
fer, and Thomas Savage Exct of the
of Hugh Campbell dec'd United
States
for the Western District of Pennsylvania.

This cause came on to be heard on the transcript of the record

from the Circuit Court of the United States for the Eastern District of Pennsylvania, and on the motion of Mr H. Bakewell of Counsel for the defendants in Error and consent of Mr Harrington of Counsel for the plaintiffs in Error, it is now here ordered, adjudged by this Court, that the writ of error, in this cause be, and the same is hereby dismissed with costs. —

per Mr Ch. Jus Waite.

709 James L. Huse. Appellant vs. John S. McMillan, Thomas Savage Exr of Hugh Campbell decd, & Jno. Schaffer. Appeal from the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the Eastern District of Missouri, and on the stipulation of coun-

set for the respective parties on file, and on motion of Mr D. B. Ke well of counsel for the appellees, it is now here ordered adjudged and decreed by this Court that this appeal be, and the same is hereby dismissed with costs

per Mr Chf Jus. Waite

21. George C. Roberts vs. William F. Roger and George C. Roberts vs. Joseph Buck Jr. — On motion of Mr S. L. Hamilton leave is hereby granted the Clerk to issue the mandates

in these cases. -

216. James S. Carroll et al. vs. Joshua J. Thomas et al. Appellants — Mr Saunders on behalf of Mr E. McGinley moved the Court for leave to file printed arguments in this cause

in behalf of parties interested in similar questions.

862. The American Emigrant Co. vs. The County of Adams. Appellant

The motion to rescind & annul the order entered on the 6th day of December 1875 docketing & dismissing this appeal, and for leave to docket the cause was submitted to the consideration of the Court by Mr R. T. Lowe in support of the same, and by Mr R. L. B. Clarke in opposition thereto.

692. John C. Hale vs. The United States. Appellant

Mr F. P. Stanton suggested the death of John C. Hale the appellant in this cause and moved the Court for leave to enter the appearance of Sarah Hale widow, George G. Hale, John C. Hale jr., John P. Warren, and

Loretta E. Hale, heir at law of J. C. Hale deceased, as appellant in this cause. On consideration whereof it is now here ordered by this Court that Sarah Hale widow and George G. Hale, John C Hale Jr. John P. Warren, and Loretta E. Hale heirs at law of J. C Hale deceased as aforesaid be entered as the parties appellant in this cause instead of John C Hale deceased, with liberty to prosecute this appeal.

211 Frederick Roberts et al. vs. The Corporation of Salem &c. Appellants. The motion for a commission to take further testimony in this cause was argued by Mr R. D. Benedict, in support of the same, and by Mr J. H. Ashton in opposition thereto: Whereupon this Court not being now sufficiently advised of & concerning what order to render in the premises took time to consider

James M. Townsend
664. vs. Appellant
Alfred Toadvine, assignee &c.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr John L. Beach of counsel for the appellant, and by Mr S. E. Baldwin for the appellee under the 20th rule.

The Mutual Life Insurance Co. of New York
356. vs. Piff. in Error.
J. Morrison Harris assignee &c.

The argument of the motion to enter the judgment in this case vacated was commenced by Mr E. A. Hinkley in support of the motion & continued by Mr J. Morrison Harris in opposition thereto; Further argument on this motion postponed until the case is reached in the regular call of the docket.—

Monday January 17, 1876 - Continued. -

The Phillips and Colby Construction Company. -
44 vs. Pltff in Error
Mark T. Seymour et al. -

Wm Massey by leave of the Court filed and submitted to the consideration of the Court petition of Mark T. Seymour in this cause. -

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday January 18. 1876.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.

Associate Justices

John F. Nicolay Esquire Marshal.
Daniel Henry Matthews Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. H. Carter it is ordered that R. McBratney Esquire of Junction City State of Kansas be admitted to practice as an Attorney and Counsellor of this Court & he was sworn accordingly.

3 maj.ts The State of Florida vs. C. C. Anderson Jr. et al. Complainant

The motion of Mr Jones for an order on the Receiver to deliver possession of the Railroad to the State of Florida was argued by him in support of the same, and by Mr Carpenter in opposition thereto and also in favor of his application for continuance of the Receiver. Further argument of this motion postponed until the 28th of February inst.

3 maj.ts The State of Florida vs. C. C. Anderson Jr. et al. Complainant

Ordered by the Court that the motion of Mr Jones for an order on the Receiver to pay the account of the Rogers Locomotive Works &c. and the same is hereby postponed to the 28th of February next

Ira G. Munn et al. vs. The People of the State of Illinois. 396. Def. in Error. Pff. in Error.

The argument of this cause was continued by Mr J. K. Edsall of counsel for the defendant in error, and concluded by Mr John N. Jewett of Counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday January 19, 1876.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R Waite Chief Justice:

Nathan Clifford
Noah H Swayne
Samuel F Miller
David Davis — Associate
Stephen J Field — Justices.
William Strong
Joseph P Bradley
Ward Hunt.

John J Mackay Esqre Marshal
Daniel Tierney Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. J. A Garfield it is ordered that Hon L. S. Ford. worth of Youngstown State of Ohio. be admitted to practice as an attorney & counsellor of this Court & he was sworn accordingly.

On motion first made to the Court in this behalf by Mr James McConnell it is ordered that John Hackenard Esquire of New Orleans State of Louisiana be admitted to practice as an attorney & Counsellor of this Court & he was sworn accordingly.

B. F. Bolls, Governor &c. This cause
545. vs. Piff. in Error. was argued
Dillwin Chumacero. by Mr J.
A. Gayarde
& Counsel for the plaintiff in Error,
and by Mr R. T. Merrick for the
defendant in error.

John H. Russell. On motion of
572. vs. Appellant Mr Shaw, leave
The United States. is hereby granted
him to file
brief in this cause.

	Henry M. Rector		(Assigned)
646.	vs.	Appellant	The argu-
	The United States.		ment of
	John C. Hale		these cases
692.	vs.	Appellant,	was com
	The United States-		menced
	Wm H. Jones et al.		by Mr
772	vs.	Appellants	D. Shan-
	The United States.		lon of
	John H. Rapp		counsel
693.	vs	Appellant	for the
	The United States		appellant
			in No 692.

Proclamation being made the Court is adjourned until tomorrow, at twelve o'clock.

Thursday January 20. 1876.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.

Associate Justices.

John F. Hoey Esquire Marshal.
Daniel Henry Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr J. M. Woolworth it is ordered that Eleazer Wakeley Esquire of Omaha State of Nebraska, be admitted to practice as an attorney and Counsellor of this Court, who was sworn accordingly.—

Isabella McManus adm[x] &c. vs. Pltff's in Error. 6, D. O'Sullevan et al. 543.

This cause was submitted to the consideration of the Court on the record & printed arguments by Mr Calhoun Benham of counsel for the plaintiff in error, and by Mr John M. Coghlan and Mr William Irvine of counsel for the defend ants in error, under the 24th rule.

Elizabeth Mead et al. vs. Daniel Sinyard. 754. Appellants. Appellee.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. E. L. Smith of counsel for the appellants and by Mr Jeremiah Fitzgerald for the appellee under the 24th rule.

Thursday January 20. 1876. Continued.

Henry M. Rector. (Assigned) The
646. vs. Appellant argument of
The United States. these cases was
John C. Hale continued by
692 vs Appellant Mr Matt. H.
The United States Carpenter of
Wm H. Gaines et al. Counsel for
772 vs. Appellants the appellant
The United States. in No 646, by
& Mr J. A. Grow
John H. Russell. of counsel
893 vs. Appellant for the ap-
The United States. pellant in
No 893. and
by Mr E. W. Munford of counsel
for the appellant in No 772.—

Proclamation being made the Court
is adjourned until tomorrow at twelve
o'clock.

Friday January 21. 1876.

Pursuant to adjournment the Court met to day at the Capitol

Present

The Honorable Morrison R. Waite Chief Justice.
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.
Associate Justices

John G. Nicolay Esquire Marshal
David Perley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr H. H. Warren it is ordered that Wm H. Crapo Esquire of New Bedford State of Massachusetts and E. H. B. Abbott Esquire of Boston and Hon. Jno B. Wentworth Esquire of Durham

State of Massachusetts be admitted to practice as Attorneys & Counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Hon T. Hereford it is ordered that T. B. Swann Esquire of Charlestown, and H. C. Snyder Esquire of Lewisburg State of West Virginia be admitted to practice as Attorneys and Counsellors of this Court & they were sworn accordingly.

On motion first made to the Court in this behalf by Mr W. H. Blair it is ordered that F. K. Skinker Esquire of St Louis State of Missouri be admitted to practice as an Attorney & Counsellor of this Court and he was sworn accordingly -

On motion first made to the Court in this behalf by Mr E. C. Ingersoll it is ordered H. B. Hopkins Esquire

of Peoria State of Illinois be admitted to practice as an attorney & counsellor of this court and he was sworn accordingly.

On motion just made to the Court in his behalf by Mr R. T. Merrick it is ordered that Joseph H. Rice Esquire of Washington City District of Columbia be admitted to practice as an attorney counsellor of this Court and he was sworn accordingly.

Wm S. Gilman et al. vs. The Illinois & Mississippi Telegraph Company et al.

and

H. Coy Kendall Garnishee vs. The Illinois & Mississippi Telegraph Company.

557.-

558.-

These Cases were submitted to the consideration of the Court on the Records and printed arguments,

by Mr George F. Knight & Mr William M. Evarts of counsel for the appellants, and plaintiffs in Error, and by Mr J. Scott Richman, and Mr J. D. Caton for the appellees and defendant in Error, under the 20th rule.

615. The United States vs. John M. Ashfield. Appellant. This cause was submitted to the consideration of the Court on the record & printed arguments by Mr Assistant Attorney General Smith of counsel for the appellant, and by Mr J. M. Carlisle, and Mr J. G. McPherson of counsel for the appellee under the 20th rule.

701. The United States vs. The Corliss Steam Engine Company. Appellant. This cause was submitted to the consideration of the Court on the record

And printed argument by Mr Solicitor General Phillips of counsel for the appellants, and by Mr Joseph Casey for the appellees under the 20th rule.

704 The United States, Appellants, vs. The Corliss Steam Engine Company. (On motion of Mr Asst. Attorney General Smith, leave is hereby granted him to file additional proofs and citation in this cause.)

710 The County of Elmwood, Plff in Error, vs. George C. Marcy. (Was submitted to the consideration of the Court on the record & printed arguments by Mr H. B. Hopkins of counsel for the plaintiff in Error, & by Mr. Isaac G. Wilson, and Mr Sanford B. Perry for the defendant in Error, under the 20th rule.)

H. G. Angle
857. vs. Appellant.
The Northwestern
Mutual Life In
surance Company

This cause was submitted to the consideration of the Court on the record & printed arguments by Mr George G. Wright of counsel for the appellant, and by Mr C. C. Nourse for the appellee under the 20th rule.

Henry W. Rector
116. vs. Appellant
The United States.
John C. Hale
692 vs Appellant
The United States
Wm H. Gamieschal.
772. vs Appellants
The United States.
and
John H. Ewell
693. vs Appellant
The United States

(assigned) The argument of these cases was continued by Mr Attorney General Pierrepont of counsel for the United States by Mr E. W. Munford of counsel for the appellant in No 772, & by Mr Albert Pike of counsel for the appel in No 646.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday January 24. 1876.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Morrison R Waite Chief Justice
Nathan Clifford
Noah H Swayne
Samuel F Miller
David Davis Associate
Stephen J. Field Justices
William Strong
Joseph P. Bradley
Ward Hunt.

John G. Nicolay Esquire Marshal.
Daniel Kelly Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon George H. Williams it is ordered that Wm. Cam James Esquire of Syracuse State of New York be admitted to practice as an attorney & counsellor of this Court & he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Attorney General Pierrepont it is ordered that Augustine S. Gaylord Esquire of Saginaw State of Michigan be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

51. The Mississippi & Missouri Railroad Co. and Muscatine County, Appellants vs Charles F. Cromwell — Appeal from the Circuit Court of the United States for the District of Iowa.

This cause came on to be heard on the manuscript of the record from the Circuit Court of the United States for the District of Iowa & was argued by counsel On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby

Reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to dismiss the bill of complaint.

per Mr Jus. Bradley.

67. Caleb Sos and George B. Green Pffs in Error vs. Milton H. Hamilton administrator of Sal mon Hamilton dec'd. In Error to the Circuit Court of the United States for the Eastern Dis trict of Michi gan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Michigan and was argued by Counsel On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs

and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Michigan.

Per Mr Justice Bradley.

Ann Killredge widow & admx of E. E. Killredge dec'd & Curix of the Minor heirs of said E. E. Killredge
7H. Pls. Plff. in Error.
Clara C. Race, and her husband Jn. H. Race

In Error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by Counsel On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with Costs. - Per Mr Justice Bradley.

73. John S. Wells, James L. Wells, Washington M. Wells & Richard Gregg. vs. Pltffs. in Error. Horace B. Clafflin Edward C. Carnes and Edward N. Bancroft.

In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed, with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

per Mr Justice Davis.

Monday January 24. 1876. Continued.

The Western Union Telegraph Company vs. The Western & Atlantic Railroad Company. Appellant

Appeal from the Circuit Court of the United States for the Northern District of Georgia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Georgia, and was argued by counsel On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to refer the case to a Master to state an account on the terms of the contract between the

Mills and the Telegraph Company as between the complainant and defendant for the time defendant has used the wire galleries and equipments put up under the Contract and to render a decree for the amount ascertained to be due. per Mr Justice Miller Dissenting Mr Jus. Field.

Charles Stott, William McLean Williams L. Wilcox, James P. Fenton, Frederick Keightley, and John A. McCrea vs. Sitgs. in Error William Rutherford. 23

In Error to the Supreme Court of the District of Columbia.

This cause came on to be heard on the Transcript of the record from the Supreme Court of the District of Columbia, and was argued by Counsel. On consideration whereof it is now here

ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby reversed with costs And that this cause be and the same is hereby remanded to the said Supreme Court with directions to enter a judgment upon the verdict in favor of the plaintiffs in Error.

per Mr Jus Swayne

John Forsythe
126. vs. Appellant
Mark Kimball
assignee of the Mutual Security Insurance Company.

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by Counsel. On consideration whereof

it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs

per Mr Jus. Swayne.

Frank A. Otis, and William P. Conner, just now doing business under the firm name of F. A. Otis and Company.- vs. Piffs. in Error, Henry B. Cullum rec'r, of the First National Bank of Topeka Kansas.

In Error to the Circuit Court of the United States for the District of Kansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas, and was argued by Counsel On consideration whereof it is now here ordered & adjudged by this Court that the judgment

of the said Circuit Court in this cause be, and the same is hereby affirmed with costs. -

per Mr Justice Swayne.

Thomas Pitts Exr. of H. Norton Strong decd. Claimant of the Steamer "May Flower"

94. vs Appellant.

The Detroit and Lake Shore Steamboat Line, owners of the Steamer "Dove"

Appeal from the Circuit Court of the United States for the Eastern District of Michigan. -

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Michigan, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the

same rule per annum that decrees exist in the Courts of the State of Michigan

per Mr Jns. Clifford.

James V. Squire
Williams.
342. vs. Appellants.
The United States.

Appeal from the District Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of California, and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby affirmed.

per Mr Justice Clifford

Magdalena A. Zeller, widow of F.C. Zeller deceased Henrietta Zeller, Minor heir, by her tutrix Mrs. A. Zeller, C.J. Zeller, George Zeller, Louis Zeller, & Magdalena wife of P. Belz, heirs of F.C. Zeller deceased.

In Error to the Supreme Court of the State of Louisiana.

011 Dec. Affs. in Error.
Edgar A. Seelzer.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the writ of Error in this cause be, and the same is hereby dismissed with Costs.

Per Mr. Chief Jus. Waite.

Robert B. Belling

In Error to the Supreme Court of Appeals of the State of Virginia.

055. Dec. Aff. in Error.
Gustavus Lemmon.

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of Virginia, and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the writ of Error in this cause be, and the same is hereby dismissed for the want of jurisdiction

per Mr Chief Jus. Waite.

William Hill, and Emily Hill. - Appellants, vs. Brackett & Waite, a firm composed of William Brackett and Charles B. Waite. - Appeal from the Circuit Court of the United States, for the District of Iowa.

798.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa, and was argued by Counsel. On con-

adjudication when of it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with Costs and interest until paid at the same rate per annum that similar decrees bear in the Courts of the State of Iowa. per Mr Chief Jus. Waite

Daniel Hand
693. vs. Piff in Error.
Thomas C. Dunn
Comptroller General.

On consideration of the motion to dismiss this cause it is ordered that the further consideration of the motion be, and the same is hereby postponed until the final hearing of the cause. per Mr Chief Jus. Waite.

William Burdell et al.
128. vs. Piffs. in Error.
Augustus Denig et al.

William E. Ide one of the defendants

below departed this life prior to April 19. 1873, on that day letters testamentary were duly issued to his widow as executrix of his will. This writ of Error was issued out July 28, 1873 after his death. At that time the judgment had not been issued against the executrix. The plaintiff in error now move for a leave facias to make the Executrix a party here. -

This motion is denied. We have no power to revive the judgment against the executrix. That must be done in the Court below. The Executrix cannot be made a party here until she has been made a party to the judgment by revivor.

per Mr Chief Justice Waite.

911. Frederick Roberts et al. vs. The Propeller Galena &c. Appellants

On consideration of the motion for a commission to take further testimony

in this cause. it appearing to the Court that no sufficient excuse is presented for not examining the witnesses in the Court below, it is now here ordered by the Court that said motion be and the same is hereby denied.

per Mr Chf jus. Waite.

The American Emigrant Company. vs. Adams County. Appellant.

On consideration of the motion of Mr R. T. Lowe

862.

it is now here ordered by the Court that the order of the 6th of December last docketing and dismissing this appeal be, and the same is hereby revoked and annulled. And that the appellant have leave to file its cause and have the same docketed in conformity to the rules of this Court upon payment of costs.

per Mr Chf jus. Waite.

James P. Connolly et al. Appellants
516. vs. Appellants } ing have
Joshua & Thomas Dean. } suggested that

there are many cases now pending in the Circuit Court for the District of South Carolina involving the same question that are presented in this case and that the interests of the parties to those causes will be directly affected by the determination of this, Mr Edward McCready Jr. an attorney of this Court, who is of Counsel for many of the defendants in the cases now pending in the Circuit Court, has leave to file a printed argument in this cause - Twenty copies of his argument must be filed with the Clerk of this Court at least ten days before the case is called for Hearing: and he must also at the same time furnish one copy to each of the Counsel therein.

John Carey &al. Cr. motion of
14. vs. Appellants. Mr T. J. Du-
Henry S. Brown. rant-case is
hereby granted
the Clerk to issue the mandate in
this cause.

Eliza D. Harfield Pr. motion
051. vs. Pff in Error to dismiss
Josiah Chas. Chaffee. this cause
was submit-
ted to the consideration of the Court
on printed arguments by Mr T.
J. Durant and Mr C. H. Horner
in support of the same.—

Samuel B. Lowe surviving &c. This
869. vs. Pff. in Error cause
The U. S. ex rel Geo. C. Maury. was sub-
mitted
to the consideration of the Court on
the record and printed arguments by
Mr T. L. Tullett Pinkney of Counsel for
the plaintiff in Error, & by Mr Geo.
C. Fite for the defendant in Error, under the 25 rule.

The Phillips and Colby Construction Company
114. vs. Pff in Error.
Mark D. Seymour et al.

Mr Paine moved the Court for leave to the Clerk to issue the mandate in this cause. Assigned for argument on Monday the 7th of February.

William H. Sawyer
33. vs. Pff in Error.
The Union National Bank of Chicago.

On motion of Mr Paine leave in behalf of Mr Sawyer is hereby granted the Clerk to issue the mandate in this cause.

A. T. Stewart et al.
31. vs. Pffs in Error.
Meyer Sonneborn.

Mr C. H. Peck moved the Court to rescind and annul the order of the 8th of November last, docketing & dismissing this writ of Error, and for leave to docket the cause: which

was argued by him in support thereof, and by Mr P. Phillips in opposition thereto. Whereupon this Court not being now sufficiently advised of, and concerning what order to render in the premises took time to consider.

Henry M. Rector
646. vs. Appellant
The United States

John C. Hale
672. vs. Appellant
The United States
Wm H. Swisshelm

772. vs. Appellants
The United States
&
John H. Russell
893. vs. Appellant
The United States.

The argument of these causes was continued by Mr Gilbert Pike of Counsel for the appellant in No 646.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday January 25, 1876

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R Waite Chief Justice
Nathan Clifford
Noah H Swayne
Samuel F Miller
David Davis
Stephen J Field
William Strong
Joseph P Bradley
Ward Hunt.
John G Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Asa Iglehart it is ordered that William F Parrett Esquire of Evansville State of Indiana be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr J.B. Sanborn it is ordered that Jefferson P. Kidder Esquire of Vermillion Territory of Dakota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H.E. Stevenson it is ordered that William Yeatman Esquire of Chester State of Illinois be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.-

Tuesday January 25. 1876 Continued.

Henry McRee
646. vs. Appellant
The United States.

John C. Hale
692.- vs. Appellant
The United States.

Wm H. Gaines et al.
772.- vs. Appellants.
The United States.

and

John H. Russell
693. vs Appellant.
The United States.

Argument of these Cases commenced by Mr Field of counsel for the appellant in No 646, by Mr Attorney General Pierrepont of Counsel for the United States and concluded by Mr F. P. Hinton of Counsel for the appellant in No 692.-

(Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.)

Wednesday January 26. 1876.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis Associate
Stephen J. Field Justices.
William Strong
Joseph P. Bradley
Ward Hunt

John G. Nicolay Esquire Marshal.
Daniel Henry Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Hon J. S. Black it is ordered that J. Boone Cessna Esquire of Bedford State of Pennsylvania be admitted to practice as an attorney & Counsellor of this Court and he was sworn accordingly.

376. Humphrey Pierce and Emily J. Pierce — vs. Lorenzo D. Van Pelt. — Appellants. — Appeal from the Circuit Court of the United States for the Eastern District of Wisconsin

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Wisconsin and on the stipulation of counsel on file and motion of Mr G. W. Pas chal in behalf of counsel it is now here ordered adjudged and decreed by this Court that this appeal be, and the same is hereby dismissed with costs.

Per Mr Ch J Waite.

Edward Matthews
487. vs. Piff in Error.
John Bernard

In Error to the Supreme Court of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, and on the stipulation of Counsel on file & motion of Mr G. H. Paschal in behalf of Counsel. It is now here ordered and adjudged by this Court that the writ of Error in this cause be, and the same is hereby dismissed with costs. Per Mr Chf Jus Waite.

Wyza Black, Louis-
104. Ad. Piff in Error
Joseph Fuentes et al.

On the application of counsel it is ordered by the Court that thirty minutes additional time be allowed counsel on each side in the argument of this cause.

104. Myra Clark Gaines Plaintiff in Error vs. Jeff in Error mad of Joseph Fuentes et, al. This Cause was commenced by Mr George H. Pischal of Counsel for the plaintiff in Error, continued by Mr James McConnell and by Mr S. J. Dimmit of Counsel for the defendant in Error and by Mr J. S. Black for the plaintiff in Error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday, January 27. 1876.

Pursuant to adjournment the Court met this day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis Associate
Stephen J. Field Justices
William Strong
Joseph P. Bradley &
Ward Hunt.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr R. T. Merrick it is ordered that Thomas Young Esquire of Huntington State of New York & James Hoban Esquire of Washington City, District of Columbia be admitted to practice as attorneys & counsel.

cers of this Court and they were sworn accordingly.—

Hugh C. Hare
810. vs. Plff in Error
The 2nd National
Bank of Titusville—
and
Same
811. vs
Same.—

Mr N. E. Stevenson filed suggestion of a diminution of the record & motion for certiorari in these causes.

Eliza W. Warfield
857.— vs. Plff in Error
John Chaffee et al.

On motion & consent of Mr T. J. Durant Cave is hereby granted Mr W. J. D. Baker to file brief in this cause in opposition to the motion to dismiss on or before Friday next.—

Myra Clark Gaines
104.— vs. Plff in Error.
Joseph Fuentes et al.

Reargument of this cause was concluded by Mr J. S. Black

of Counsel for the plaintiff in error.

The Town of Concord (Assigned) This cause
113. vs. Plff. in Error, was re ar-
The Portsmouth Saving gued by
Bank. Mr George

C. Williams of counsel for the plaintiff in Error, and by Mr Sanford E. Perry for the deft in Error.

The Home Insurance In Error
Company. to the Cir-
1214 vs. Plff. in Error. cuit Court
Benjamin Tuce. of the
United
States for the Western District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan, and it appearing to the Court that the matters in

controversy in this cause have been agreed and settled between the parties, it is now here ordered and adjudged by this Court that the writ of Error in this cause be, and the same is hereby dismissed with costs-

per Mr Chief Jus. Waite.

Henrietta S. Gould Ex'x &c. &c. vs. Pltff. in Error. The Evansville & Crawfordsville Railroad Company. The argument of this cause was commenced by Mr Charles Tracy of counsel for the plaintiff in Error.-

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday January 28th 1876.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honble Morrison R. Waite Chief Justice -

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.

John F. Dowling Esquire Marshal.
Daniel Tenney Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr W. H. Carpenter it is ordered that Samuel Gormay Esquire of Philadelphia State of Pennsylvania be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

The State of Florida
Benj. F. Conplainant
C. D. Anderson Jr. et al.

Writ of error to be by Clerk of the Court filed certificate of appeal by Florida Central Railroad Company from the decree of the District Court of Florida to the Supreme Court of that State

Priscilla S. Gould Ex'rx &c.
125. vs. Plff. in Error.
The Gainesville and Cranfordville R. R. Co.

The argument of this cause was continued by Mr Charles Tracy of counsel for the plaintiff in Error by Mr Abe Lefhart of counsel for the defendant in error and concluded by Mr Tracy of counsel for the plaintiffs in Error.

Marie Ronnie et al.
127. vs. Plffs in Error.
Teresa Casanova.

This cause was submitted to the Cou.

situation of the Court on the record and printed arguments by Mr S. C. Houghton and Mr Joseph H Reynolds of counsel for the plaintiff in error, and by Mr John H Dove for the defendant in error

Sylvia M. Clemens
120. vs. Appellant
Jos. P. Mackelworth etal.

This cause was argued by Mr J. H. Dewer of counsel for the appellant, and by Mr R. T. Merrick for the appellees.

James and Squire Williams
1156. vs. Appellants.
The United States

Appeal from the District Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of California

and on the authority of counsel for the appellants on file, it is now here ordered adjudged & decreed by this Court that this appeal be, and the same is hereby dismissed.

per Mr Chr. Jus. Waite.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday January 31st 1876.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Tilney Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in his behalf by Mr J. J. Durant it is ordered that José Ignacio Rodriguez Esquire of Washington City - District of Columbia be admitted to practice as an attorney & counsellor of this Court and he

was sworn accordingly.

On motion first made to the Court in this behalf by Hon. Matt. H. Carpenter it is ordered that Edward T. Wood Esquire of Brooklyn State of New York be admitted to practice as an attorney & counsellor of this Court & he was sworn accordingly.

83 J Sherman Hall and Wm J Pope vs Pliffs. in Error John Weare. In error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel. On consideration whereof it is

now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to award a new trial.

per Mr Justice Strong

(Mr Justice Davis did not sit in) (this case

Frederick Jennings Edith Evans
assignee of George Bogen Jacob
Bogen as individuals and as In error
late partners as G & J Bogen, to the
and of G Bogen, J Bogen & Circuit
Henry Culler as individuals Court of
was late partners as Geo. Bogen & the United
546 W. Peffer in Error. States for
Max Hellman assignee of Geo the South
Bogen & Jacob Bogen individuals & ern District
was late partners as G & J Bogen of Ohio -
bankrupts. & of Geo Bogen
Jacob Bogen & Henry Culler as
as individuals & as late
partners as George
Bogen Dec'd -

This cause came on to be heard
on the transcript of the record
from the Circuit Court of the
United States for the Southern
District of Ohio, and was argued
by counsel - On consideration
whereof it is now here ordered
& and adjudged by this Court

that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs - And that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of the Court

per order Justice Field.

The Milwaukee & St Paul Railway Company - Plff in Error vs Mary A. D. Toms and D D Toms - In error to the Circuit Court of the United States for the District of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa. and was

argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to award a new trial

per curt. Justice Davis.

The Western Union Telegraph Company vs. Pfaff in Error & Charles Eyser.

In Error to the Supreme Court of the Territory of Colorado.

118.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Colorado, and was argued by counsel. On consideration whereof, it is now

here ordered and adjudged by this court that the judgment of the said Supreme Court in this cause be and the same is hereby reversed with costs- And that this cause be, and the same is hereby remanded to the said Supreme Court with directions to reverse the judgment of the District Court of Arapahoe County & to direct that court to award a new trial.-

per curiam Justice Davis-

86. Robert Dow vs. Peffer in Error & David Humbert Bartholomew Spellman & James Heath

In Error to the Circuit Court of the United States for the Western District of Wisconsin-

This cause came on to be heard on the transcript of the record

from the Circuit Court of the United States for the Western District of Wisconsin, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Wisconsin.

Per curiam Justice Miller

Dissenting:
Chief Jus. Clifford
" " Strong

Monday January 31. 1876. continued-

The Propeller "Colorado" Charles Emery, and George W. Stark, claimants - as Appellants -	vs	Appeal from the Circuit Court of the United States for the Eastern District of Michigan
65. Elon N. Studor owner of the Barque A. P. Bridge		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Michigan, and was argued by counsel - On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in the cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Michigan -

Per curiam Justice Clifford

143 The United States vs. Appellants William Allison — Appeal from the Court of Claims —

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of claims in this cause be, and the same is hereby reversed And that this cause be, and the same is hereby remanded to the said Court of claims with directions to dismiss the petition. —

Per curiam Chief Jus. Waite

B. F. Potts Governor, James E. Calloway, Secretary & W. F. Wheeler Marshal of the Territory of Montana vs. Pfpps. in Error, William Clemmens and John A. Johnston

545

In error to the Supreme Court of the Territory of Montana

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Montana and was argued by counsel - On consideration whereof it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed for the want of jurisdiction.

Per curiam Chief Justice Waite -

Mary Romie Paul
Romie, Charles Romie
Ernest Romie, and
Mary Jacks, and her
husband David Jacks,
27 vs Plffs in Errors
Jerred Cleavers -

Dis to brooks
the Supreme
Court of
the State of
California -

This cause came on to be heard
on the transcript of the record
from the Supreme Court of
the State of California, and
was argued by counsel - On
consideration whereof it is
now here ordered & adjud
ged by this Court that the
writ of Error in this cause
be, and the same is hereby
dismissed with costs -

Chief Justice Waite

Alexander T. Stewart & Co. Def-in
31 vs Plffs in Error. consider
Meyer Sonneborn, ation of
the motion

of Mr L. J. Peck and of the argument of counsel thereupon had as well in support of as against the same it is now here ordered by the Court that the order of the 8th of November last docketing & dismissing the writ of Error &c. & the same is hereby rescinded and annulled - And that the plffs in Error have leave to file their cause and have the same docketed in conformity to the rules of this Court upon payment of costs. -

John Jared vs Appellees Wm A. Deal et al -

On motion of Mr Hill it is ordered that this cause be passed for the present. on account of sickness of counsel. -

David Dows et ab.
8 vs. Peffs in Error.
The National Exchange Bank of Milwaukee
and
David Dows et ab.
17. vs Peffs in Error.
The Wisconsin Fire Marine Insurance Co.

On motion of said Pltffs in Error leave is hereby granted the clerk to issue the mandates in these cases.

The Mutual Benefit Life Insurance Co
94. vs Peffs in Error.
Martha B Tisdale

On motion of Pltffs Beam leave is hereby granted the clerk to issue the mandate in this cause

Baker Ivers et ab
17 vs Peffs in Error.
M. A. Hamilton admr of P. Hamilton

On motion of said Pltffs leave is hereby granted the clerk to issue the mandate in these causes —

113 J. Young Scammon vs. Appellants
Mort. Kimball
Assignee &c.

Mr R J Hillick by leave of this Court filed motion to modify the decree entered by this Court in this cause, on the 17th day of January 1876.—

x 31 Chester A. Arthur Collr &c vs Plff in Error
Jas P. Cumming et al &c.

On motion of Mr. Asst Attorney Genl Hill it is ordered that this cause be advanced and assigned for argument on Friday the 2nd inst. next.—

857 Chas Bright vs Appellant
Northwestern Mutual Life Ins. Co.

On motion of Mr Bright leave is hereby granted him to file reply brief in this cause.—

George D Cranyell ads
627 vs Peffs in Error &
John Devlin.

The motion
to dismiss
this cause
was submitted
to the consideration of the Court
on printed arguments by Mr
Reginald Fendall in support
of the same and by Mr E.
F. Hood in opposition there-
to.-

Charles K. Brown
Surv &c
622 vs Peffs in Error &
Frank D. Atwell
Admr &c

The motion
to dismiss
this cause
was sub
mitted to
the consider
ation of the Court on print-
ed arguments by Mr James
F Ryan in support of the
same. and by Mr John
B. Gale in opposition thereto

812.	Charles Rockwell vs. Alff ix Errors Thomas Rockwell et ab	The motion to dismiss the cause was submitted to the consideration of the Court on printed arguments by cnsl W. W. Boyce in support of the same and by cnsl Henry Cooper in opposition thereto
128	Wm Burdell et ab vs Alff ix Errors Augustus Denig et ab	On motion of cnsl Wm Lawrence it is ordered that this cause be, and the same is hereby passed for the present.
29	Porter & Furness et ab vs Appellants Charles H. Ward et ab	This cause was argued by cnsl Chas P. Crosby of counsel for

the appellants, submitted on printed argument by Mr Kelley Read for the appellee.

130. Cornelius Stormfelt Ordered vs. Peffs in Errors by the The United States. Court that this cause be, and the same is hereby passed for the present.

131. Alexander McEarlefelt vs. Appellants. This cause James H. McVeigh. was argued by Mr S. F. Beach of Counsel for the appellants, and by Mr P. Phillips for the appellee.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.-

Tuesday February 1 1876.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice
Nathan Clifford
Noah H Swayne
Samuel F Miller
David Davis Associate
Stephen J Field Justices.
William Strong
Joseph P Bradley
Ward Hunt

John G Nicolay Esquire Marshal.
Daniel Reeley Messenger

Proclamation being made the Court is opened

On motion first made to the Court on this behalf by Mr J Durand it is ordered that Asa G Bloomfield Esquire of Bloomington State of Illinois be admitted to practice as an attorney and counsellor

of this Court and be answered accordingly -

The Second Bank of the United States
132 vs Pliff in Error
David France
wife.

This cause was argued by Mr Jamuel B Parsons of counsel for the plaintiff in Error, and by Mr A.H. Charlton for the defendants in Error.

Charles L Smeltzer
133 vs Pliff in Error
Miles White. -

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr Salmon P Chase of counsel for the plaintiff in Error, and by Mr J.H. Hatton, and Mr Nathaniel Wilson for the defendants in Error -

6 Bullman & Eyster
34 vs Pepp et Error
Thomas Jas W. Goff.

The argument of the cause was commenced by Mr. John N. Mills of counsel for the plaintiff in Error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock M.

Wednesday February 2 1876

Pursuant to adjournment the Court met to day at the Capital

Present,

The Honorable Morrison R Waite Chief Justice
Nathan Clifford
Noah H Swayne
Samuel F Miller
David Davis Associate
Stephen J Field Justices
William Strong
Joseph P Bradley
Ward Hunt

John G Nicolay Esquire Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. Edmund Burke it was ordered that W H Armstrong and David L Harrington Esquires of Philadelphia be admitted to practice as attorneys and

counsellors of this Court and they were sworn accordingly

On motion first made to the Court on this behalf by Mr J B Sanborn it is ordered that Henry P. Masterson Esquire of St Paul State of Minnesota be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.-

Charles Stott et al vs Alff in Error William Rutherford

123.

On motion Bell & Alley leave is herby granted the mandate

the Clerk to issue in this cause.-

Christian S. Eyster vs Alff in Error Thos James W. Goff.-

134.

The argument of this cause was continued by counsel for

the plaintiff in error. The court declined to hear further argument in the cause.-

In re W. Lathrop Assignee in bankruptcy of Jas N. Adams vs Appellant John Drake et al-

135

Error S.C. Having to say quo ad the death of John Drake and Derrick Sulick appellees in this cause, and moved the Court for leave to enter the appearance of Samuel Drake and John Drake Jr. Exrs. of John Drake decd. and Winfield S. Sulick admr. &c. of Derrick Sulick deceased, as parties appellees in the cause: Whereupon it is now here ordered by the Court that Samuel Drake and John Drake Jr. Executors of John Drake decd and Winfield S. Sulick admr. &c. of Derrick Sulick deceased be, and

they are hereby entered as parties appellees in this cause in place of decedents aforesaid with liberty to recist this writ of Error.-

William W. Lathrop Assignee &c
135 vs Appellees
Jacob Drake Jno Drake jr Extrs of Jno Drake decd & Penfield & Hulick admrs of Derick Hulick decd

This cause was argued by Mr D.C. Harrington & Mr F. Conrad & Brewster of counsel for the appellants and by Mr W.H. Armstrong for the appellees.-

Charles Dubaquet
137 vs Appellant in Error.
The District of Columbia

The argument of this cause was commenced by Mr J.D. Sands of counsel for the plaintiff in Error, and continued by Mr E.L. Stanton

Wednesday February 2 1876 continued-

of counsel for the defendant in error—

Proclamation being made the courts adjourned until tomorrow at twelve o'clock

Thursday February 3d 1876-

Pursuant to adjournment the Court met to day at the Capitol

Present.

The Honorable Morrison R. Waite Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller Associate
David Davis Justices.
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt

John G. Nicolay Esquire Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened-

On motion first made to the Court in this behalf by Mr. James Lowndes it is ordered that Le Roy F. Youmans Esquire of Columbia State of South Carolina be admitted to practice as an attorney and

counsellor of this Court and he was sworn accordingly -

On motion first made to the Court in this behalf by Mr E. L. Stanton it is ordered that Roger Sherman Esquire of Titusville State of Pennsylvania be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly. -

137. Charles Dillaye vs. Plff in Error. The Distrct of Columbia

The argument of the causes continued by Mr. E. L. Stanton of Counsel for the defendant in error, and concluded by Mr James Hoban of Counsel for the Plaintiff in Error. -

Thursday February 3rd 1898 continued

Frances R. Sant
138. vs Plff in Error,
The District of Columbia

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Reginald Fendall of counsel for the plaintiff in error, and by Mr. E. L. Stanton of counsel for the defendant in error.

James L. S. Morrison etal.
139 vs. Plff in Error,
Samuel Jackson
and
James L. S. Morrison etal.
140. vs. Plff in Error,
William A. Benton

On the application of Mr. P. Phillips one hour additional time granted each side on the argument of these cases.—

Thursday February 5th 1876 Adjourned-

139 Jas L. Sellers for Use etal
vs Peffs in Error
Samuel Jackson
and
J. L. Sellers for Use etal
140 vs Peffs in Error—
William V. Benton

The argument of these cases was commenced by Col. P. Phillips of counsel for the Plaintiffs in Error, and continued by Col. John R. Hepley of counsel for the defendants in Error—

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock

Friday February 4th 1876.

Pursuant to adjournment the Court met to day at the Capitol-

Present-

The Honorable Morrison R Waite Chief Justice
Nathan Clifford
Noah H Swayne
Samuel F Miller
David Davis Associate
Stephen J Field Justices
William Strong
Joseph P Bradley
Ward Hunt

John Gittings Esquire Marshal
Daniel Kelley Middleton Clerks-

Proclamation being made the Courts opened-

On motion first made to the Court in this behalf by Mr H E Stevenson it is ordered that Hon. Julian Hartridge Esquire of Savannah State of Georgia be admitted to practice as an attorney and counsellor of

This Court hand he was sworn accordingly. -

139. J. L. D. Morrison Esq. vs Pliffs in Error, Samuel Jackson and

140. J. L. D. Morrison Esq. vs Pliffs in Error, William A. Benton

The argument of these causes was continued by Mr. J. A. Shipley and Jeb. Krum of counsel for the defendants in error and by Mr. J. L. D. Morrison for the Plaintiffs in Error

Proclamation being made the Court is adjourned until Monday next at twelve o'clock

Monday February 7. 1876

Pursuant to adjournment the court met to day at the Capitol.—

Present,

The Honorable Morrison R. Waite Chief Justice.
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis Associate
Stephen J. Field Justices.
William Strong
Joseph P. Bradley
Ward Hunt

John G. Nicolay Esquire Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the court in the behalf by Mr George H. Pendleton it is ordered that John D. McCampbell Esquire of Corpus Christi, State of Texas be admitted to practice as an attorney and counsellor

of this court, and he was sworn accordingly. –

On motion first made to the Court in this behalf by the Assistant Attorney General Smith it is ordered that Benjamin K. Phelps Esquire of New York city be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Elizabeth Mead John C Yates John Bell & J.R. Parsons
754 vs. Appellants,
Daniel Pingard

Appeal from the Circuit Court of the United for the Western District of Michigan

This cause come on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan, and was argued by counsel. On

consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.-

per curiam Justice Hunt.

Daniel Webster
440 vs. Peffer & Error,
Clark W. Upton
Assignee in bankruptcy of the
Great Western
Insurance Co.-

In error to the Circuit Court of the United States for the Northern District of Illinois

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel- On consideration whereof it is now here ordered and adjudged by this Court that

the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

per curiam Justice Strong.

77. Thomas A Osborn James S. Emery and J. Bell &c Doubted. vs. Peffs in Error. The United States.- Error to the Circuit Court of the United States for the District of Kansas.-

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas, and was argued by counsel. On consideration whereof it is now here

ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed in all respects, except as to the costs of the proceedings subsequent to the presentation of the application of the Petitioners. It is further ordered that this cause be, and the same is hereby remanded to the said Circuit Court with directions to modify the decree as to the costs of the proceedings subsequent to the application of the Petitioners. And that such costs be appropriated against the parties ordered to make restitution according to the respective amounts they are adjudged to return.

Per curiam Justice Field.

	Alfred St Clements	Appeal from
20.	vs Appearance	the Supreme
	John N. Ellschetour.	Court of the
	A.J. Williams et ab	Territory of
		Colorado.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Colorado, and was argued by counsel— On consideration whereof it is now here ordered adjudged and decreed by this Court, that the decree of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

Per curiam Justice Clifford

Isabella McManus as
Admx of Jerome B. Mc-
Manus, dec'd
343. vs. Pelf in Error.
& O'Sullivan vs. W. F. Cushman,
John Hayes, Peter Donahue
& all. A. Buckley, and
the minors John D. Buckley
Edmund J. Buckley
Vincent P. Buckley &
Mary C. Buckley, by C.
M. A. Buckley their
guardian vs. Chas Bauman,
Geo D. Boker, David
Hunter Thomas
Maguire, & John
Dor Hawkins. —

In Error
to the
Supreme
Court
of the
State of
California.

This cause came on to be heard
on the transcript of the record
from the Supreme Court of
the State of California, and
was argued by counsel. On
consideration whereof, it is
now here ordered and ad-

judged by this Court that the writ of Error in this cause be and the same is hereby dismissed with costs. -

Per curiam Taft Justice

The Grand Trunk Railway Company of Canada. -
91 vs. Appellant in Error.
Roswell & Richardson et al

On motion of Mr. S. E. Paine leave is hereby granted the clerk to issue the mandate in this cause. -

Richard L. Wallach et al, Appellants,
62 vs.
John Van Rensselaer

On motion of Mr. Pike leave is hereby granted the clerk to issue the mandate in this cause. -

338. Jos. W. Lee & Bentley etal vs. Appellants, Charles Clinton etal

Durant moved the Court to advance this cause and assign a day for hearing: Whereupon this Court not being now here sufficiently advised in the premises took time to consider.—

11 Ophelia F. Burtank widow &c. — vs. Appellant Edmund B. Bigelow et al. —

The death of Ophelia F. Burtank Tutor &c having heretofore been suggested, Durant in behalf of Gen. Butler moved the Court for leave to enter the appearance of Samuel M. Burtank who has been appointed Tutor of the minor heirs of Thomas J. Burtank as the appellant in this cause in place of Ophelia F. Burtank

deceased. Whereupon it is now here ordered by the Court that Samuel H. Burbank & Julor Pike minor heirs of Thomas J. Burbank be, and he is hereby entered as the party appellant in this cause, in place of Ophelia J Burbank deceased as aforesaid with liberty to prosecute this appeal-

Samuel B Lauver supervisor et al vs. Pipps in Error. The US Ex rel Geo. D. Clancy.- On motion of Mr. T. H. McCollister in behalf of Plff in Error

869

Lyle Dickey, leave is hereby granted him to file assignment of errors in this cause.-

Clancy & Langert vs. Clark W. Upton Assignee

35. Pipps in Error. On motion of Mr. Clancy

in behalf Pltff. Boutell leave is hereby given the Clerk to issue the mandate in this cause.-

63 Labaw & Major vs Pfeffer & Coon. Clark W. Upton Assignee &c., On motion of Pltff. Attorney in behalf of Mr. Boutell leave is hereby granted the Clerk to issue the mandate in this cause.-

113 J. Young & Cannon vs Appellant Clark Kimball Assignee &c The motion to modify the decree rendered in this cause was argued by Mr R. D. Mercer in support thereof and submitted by Mr. Cannon in opposition to the motion.- Whereupon this court not being now sufficiently advised

and concerning what order to render in the premises took time to consider.—

144. The Phillips Colby Construction Co. vs Peff in Error Mark T. Seymour et al.—

The argument of the motion for leave to the Clerk to issue the mandate in this cause was commenced by Mr Chesney in opposition to the motion, continued by Mr. Whitson in support thereof & concluded by Mr J.F. Ashton in opposition to the same.—

139. J.L.D. Morrison et al vs Peffs in Error Samuel Jackson

140. J.L.D. Morrison et al vs Peffs in Error William F. Benton.

The argument of these cases was concluded by Mr.

J. L. D. Morrison) of counsel for the plaintiffs in Error.

Edwin B. Lewis (assignee) trustee of J. Cooke & Co. vs. Appellant The United States

866

The argument of this cause was commenced by Mr R. L. Ashhurst & continued by Mr. W. P. Clough of counsel for the appellants.-

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock—

Tuesday February 8. 1870

Pursuant to adjournment the Court met to day at the Capitol

Present.

The Honorable Morrison R Waite Chief Justice
Nathan Clifford
Noah H Swayne
Samuel F Miller
David Davis } Associate
Stephen J Field } Justices
William Strong
Joseph P Bradley
Ward Hunt

John C Ericsday Esquire and
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. H. K. Whiton, it is ordered that E. Walker Esquire of Chicago State of Illinois be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.—

On motion first made to the court in this behalf by Mr. P. Phillips it is ordered that John J. Johnson Esquire of Washington City, District of Columbia be admitted to practice as an attorney and counsellor of the Court and he was sworn accordingly.-

Samuel A Burtank
Intor rc
vs. Appellant
Edmund B. Bigelow
et al.

On motion of Mr. Durant it is ordered by the Court that this cause be assigned for argument, under the 7th section of rule No. 20-

11

Edwin A Lewis,
trustee of Jay Cooke &
vs. Appellant
The United States.

(assigned) The argument of this cause was continued by Mr. W.

866.

Clough of counsel for the appellants by Mr R.B. McMurtrie and Mr Attorney General Pierrepont of counsel for the appellees, and concluded by Mr. N. Evarts in behalf of the creditors of Jay Cooke & Company.-

886. J.K. Warren et al. (assigned) The D. Pfiffs in Error. argument Sheridan Stark late of this cause Clerk &c. was commenced by Mr. B.K. Phelps of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock-

Wednesday February 9 1876.-

Pursuant to adjournment the Court met to day at the Capitol

Present:

The Honorable Morrison R. Waite Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis Associate
Stephen J. Field Justices.
William Strong
Joseph P. Bradley
Ward Hunt

John G. Stanley Esquire Marshal
Daniel Wiley Middleton Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. Wm. H. Carpenter it is ordered that A. G. Safford, and Edward A. Bowles Esquires of St. Thomas State of Vermont be admitted to practice as attorneys and

counsellors of this Court and they were sworn accordingly.

Peter B Amory
vs. Peffs in Error.
Samb B. & Jno Amory.
and
Peter B Amory
vs Peffs in Error.
Samuel B Swartwout.

The motion of Mr. Campbell to dismiss the cases aforesaid and assign them for argument was assigned for monday 14th February.

856 J K. Warren etal, (assigned)
vs. Peffs in Error.
Sheridan Shook
late Collr. &c.

The argument of the cause was continued by Mr. B K. Phelps of counsel for the Plaintiff in Error, by Mr. Assistant Attorney General Smith of counsel for the defendant in Error, & concluded by Mr. Phelps for the

Wednesday February 9, 1876 continued—

Plaintiff in Error.

John R. Shepley et al
trustees &c
141. vs. Appellees. vs.
John E. Cowan et al.

The argument of this cause was commenced by Mr John R. Shepley of counsel for the Plaintiff in Error, and continued by Mr Montgomery Blair and Mr B. F. Stickney of counsel for the defendants in Error.—

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.—

Thursday February 10. 1876.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis Associate
Stephen J. Field Justices
William Strong
Joseph P. Bradley
Ward Hunt

John G. Nicolay Esquire Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

John R. Shepley et al. Trustees &c vs Appellants
141 John C. Conway et al.

The argument of this cause was continued by Mr.

P. P. Phillips of counsel for the Plaintiff in Error.—

William H. Stone
142. vs Appellant
Ezra B. Towne
Admr. &c et al—

This cause was argued by Mr. R. P. Lowe of counsel for the appellant and by Mr. Joseph Casey of counsel for the appellees.—

Wm. C. Lobenstein
143. vs Appellant
The United States

This cause was argued by Mr. G. J. Peck of counsel for the appellant, and by Mr. Asst. Atty Genl Smith for the appellee.—

Henry S. Raymond.
146. vs Plff in Error,
Williams et al Thomas.

The argument of this cause was commenced by Mr. P. P. Phillips of counsel for the Plff in Error, & continued by

Thursday February 10, 1876 continued—

Mr. W.N. Boyce of counsel for the defendant in Error.—

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday February 11. 1876.-

Pursuant to adjournment the Court met to day at the Capitol

Present:-

The Honorable Morrison R. Waite Chief Justice-
Nathan Clifford
Noah H Swayne
Samuel F Miller
David Davis Associate
Stephen J Field Justices.
William Strong
Joseph P Bradley
Ward Hunt

John Gittings Esquire was sworn.
Daniel Worley was duly sworn Clerk

Proclamation being made the Court is opened-

On motion first made to the Court in the behalf by Mr. P Phillips it is ordered that C. W Ritteadge Esquire of Cincinnati State of Ohio be admitted to practice as an

attorney and counsellor of this Court and he was sworn accordingly.—

Henry St Raymond vs Pfff in Error. William Thomas

146

The argument of this cause was concluded by Mr P. Phillips of counsel for the plaintiff in error.—

Mary R & Jno W Kalb Exors vs Pfff in Error. The United States.—

144

The cause was argued by Mr. W Whittredge of counsel for the plaintiff in Error, and by Mr Asst Atty Genl Smith of counsel for the defendant in Error.

William Barnes. vs Pfff in Error. The District of Columbia

147

The argument of this cause was argued by Mr. R. K

Argument of counsel for the Plaintiff in Error and continued by Mr E L Stanton of counsel for the defendant in Error—

Proclamation being made the Court is adjourned unto Monday next at ten o'clock

Monday February 14. 1876.-

Pursuant to adjournment the Court met this day at the Capitol-

Present.-

The Honorable Morrison R. Waite Chief Justice
Nathan Clifford
Noah H Swayne
Samuel F. Miller
David Davis Associate
Stephen J Field Justices
William Strong
Joseph P. Bradley &
Ward Hunt.-

John G Nicolay Esquire of Illinois
Daniel Wesley Middleton Esq

Proclamation being made the Court is opened-

On motion first made to the Court in this behalf by Mr Charles Lee it is ordered that James M Shackelford Esquire of Evansville State of Indiana be admitted

to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon W. McD Springer it is ordered that William Brown Esquire of Jacksonville State of Illinois be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Aetna Life Insurance Company	In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania
132 U. Jeffix Error	
David Frances.	
and Lucetta D. Frances his wife use of J B Belonge.	

This cause came on to be heard on the transcript of the record from the Circuit

Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel- On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a new trial-

Per curiam Justice Hunt-

William A. Hoover & Assignee of Elias S. Oppenheimer a Bankrupt- vs. Plaff in Error
608 Abraham Wise & Simon Greenbaum, Moses Greenbaum and Jacob Greenbaum

In Error to the Supreme Court of the State of New York-

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, and was argued by counsel- On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.-

Dissenting Justices } Present Justices Hunt.
" " Clifford }
" " Bradley }

Marshall O Roberts, and Edward N. Dickerson, surviving trustees of Albert G Sloo.- Appellants.-
vs.
The United States.-

Appeal from the Court of Claims.

This cause came on to be

heard on the transcript of the record from the Court of Claims, and was argued by counsel - On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby reversed - And that this cause be, and the same is hereby reversed - And that this cause be, and the same is hereby remanded to the said Court of Claims with directions to proceed according to law and award compensation to the claimants for the number of Pounds of mail matter carried at the rate per Pound as stated in the finding of fact certified by the said Court of Claims, upon the

principals directed by the Act of July 14th 1870, entitled "An act for the relief of the trustees of Robert G. Shaw."

Dissenting — per Mr. Justice Bradley.
Mr Jus. Swayne
" " Davis
" " Strong.

Charles C. Smeltzer, Pltff in Error
vs. } to the Cir.
Miles White. } cuit Court
of the United
States for the District of Iowa

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa, and was argued by Counsel, On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said

circuit Court, in this cause to, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Iowa-

per curiam Jas Strong.-

The United States Appeals
704 vs Appellant.- from
The Toledo Steam The Court
Engine Company.- of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel- On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of claims in this cause be, and the

cause is hereby affirmed-
Per Mr. Justice Field

Christian B. Eyster, In error
134 vs. Peffer in Error to the Sup-
Thomas Gaff & Wm. Gaff.- reme Court
of the
Territory of Colorado.-

This cause came on to be
heard on the transcript
of the record from the
Supreme Court of the Ter-
ritory of Colorado, and
was argued by counsel.
On consideration whereof
it is now here ordered
and adjudged by this Court
that the judgment of the
said Supreme Court in
this cause be, and the
same is hereby affirmed
with costs.-

Per Mr. Justice Miller

W. Gilmore N. A. Cowdrey, Luke & Clark and Henry F. Burling. as Appellants -	Appeal from the
567 The Illinois & Mississippi Telegraph Co. The Des Moines Valley Railroad Company and Peter Melendy, United States Marshal for the District of Iowa	Circuit Court of the United States for the District of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa, and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs. Per Mr. Justice Swayne-

Wesley Kendall & Jennie } In error
vs. } to the
The Illinois & Mississippi } Circuit
Telegraph Company. } Court
} of the
} United States for the District
} of Iowa-

This cause come on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa, and was argued by counsel- On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest, until paid at the same rate per annum that similar judgments bear in the Courts of the State

of Jones-

Present Justice Swayne-

Alexander & Earle. Morris P. Earle, and James Earle, partners trading under the firm name of Earle & Company.-

vs.

James H. Mc Veigh

Appeal from the Circuit Court of the United States for the Eastern District of Virginia-

131.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia, and was argued by counsel- On consideration whereof it is now here ordered & adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the

same is hereby affirmed with costs.-

Per curr Jus. Clifford-

Peter T. Turner v. William Hubbell Oscar G. Chapin Charles P. Crosby, Asa D. Dickinson & Philo Parsons- vs. Appellants— Charles H. Ward J. Tyler Spalding & Jacob C. Dimick &c. —

1149 Appeal from the Circuit Court of the United States for the Eastern District of Michigan-

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Michigan and was argued by counsel- On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same

Monday February 14, 1876 continued-

is hereby affirmed with costs.-
Per cur. Chief Jus: Waite.-

The United States vs. Appellant. Appeal from
645. vs. Appellant. the Court
John W. McAtee of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel.- On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby reversed. And that this cause be, and the same is hereby remanded to the said Court of Claims with directions to dismiss the petition.-
Per cur. Chief Justice Waite

Charles Rockhold
812 vs Plff in Error, In Error
Thomas Rockhold, to the
Wm D Blevins, Leander Dryden & John R. Dulany, Robert P. Rhea, & J. L. Murphy. Supreme Court of the State of Tennessee —

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Tennessee and was argued by counsel. — On consideration whereof it is now here ordered adjudged and decreed by This Court that the writ of Error in this cause be, and the same is hereby dismissed for the want of jurisdiction.-

Per curiam Chief Justice Waite

Eliza W. Warfield
337 vs Pelt and Error.
Johns Chaffe and
Charles Chaffe

In Error
to the Sup.
reme Court
of the State
of Louisiana-

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana and was argued by counsel- On consideration whereof it is now here ordered and adjudged by this Court That the writ of Error in this cause be, and the same is hereby dismissed for the want of jurisdiction.

per curiam Chief Justice Waite-

The State of Louisiana
Ex rel Jno. L. McCauley
338. vs Appellants
& Charles C. Linton et als

On consideration of the motion of Mr. J. J Durant it is ordered that

this cause be adjourned, and assigned for argument on the third Monday of March, without prejudice to a hearing at an earlier day, if the parties shall stipulate to that effect. —

G De Rosset Lamar Exr. of G B Lamar decd
vs Pelf in Error
Robert G Brown et al Special Agts. W. Henry et al. —

On motion of Counsel for defendants in error leave is granted them to file additional briefs in this cause, on the argument of this cause. —

157

Robert B Baring
vs Pelf in Error
Gustavus Lemmer. —

Mr. J R Tucker moved the Court for leave to the Clerk to issue the mandate in this cause; Whereupon it is ordered that

658

said motion be, and the same is hereby denied for the present.-

Reuben Wright vs. Peffin Ervin & Jonas McDevitts, 98

On motion of Mr. Murray leave is here by granted the Clerk to issue the mandate in this cause.-

James S. Mack vs. Appellants & Jno F. Cook etal, 928

The motion of Mr. Merriman to advance this cause.

and assign it for argument was submitted to the consideration of the Court-

M. T. & E. J. Slaughter, vs. Appellants & James McGlenn etal, 820

Mr. Geo. W. Pascal moving suggested to the Court that the appellants

were prepared to file the record and have their cause docketed, pursuant to the rules of this Court, moved the Court to rescind and annul the order entered on the 1st of November last docketing and dismissing the appeal— On consideration whereof it is now here ordered by this Court that the order of the 1st of November last docketing and dismissing this appeal be, and the same is hereby rescinded and annulled, and that the appellants have leave to file their cause, and have the same docketed in conformity to the rule of this Court, upon payment of costs.—

per curiam C.J. Jno Waite.—

147 William Dunnes vs Plff. in Error. The District of Columbia

The argument of this cause was continued by Asst. E L. Stanton of counsel for the defendant in Error, and by Asst. W. D. Davidge for the plaintiff in Error.-

Proclamation being made the Court is adjourned until tomorrow at 12 o'clock-

Tuesday February 15, 1876.-

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
Associate Justices.

John G. Nicolay Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Chas. W. Dwight it is ordered that George F. Clifford Esquire of Cornish State of Maine be admitted to practice as an attorney and counsellor of

this Court and he was sworn accordingly.—

147 William Barnes Plff in Error. vs. The District of Columbia — The argument of this cause was concluded by Mr W D Davidge of counsel for the Plaintiff in Error.—

148 Nicholas Hoffman Appellant. vs. The John Hancock Mutual Life Ins. Co.— Ordered by the Court that this cause be, and the same is hereby passed for the present.

149 Henry L. Blease Appellant. vs. Albert G. Burlington — This cause was argued by Mr James Lowndes of counsel for the appellant, and by Mr W. W. Boyce for the appellee.—

Tuesday February 18, 1840 continued-

130 J. H. Hartman vs. Pfff in Error from Dukes County. The cause was argued by ell. F. H. Thacher of counsel for the Plaintiff in Error & submitted on printed arguments by ell. John N. Ross, and ellegers Seward & Stanley for the defendant in Error.-

131 J. D. Rivet Lamar & wife vs. Pfff in Error from N.Y. Brown ep'l ag'ts.- The argument of this cause was commenced by ell. E. H. Dickerson of counsel for the plaintiff in Error.-

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.-

Wednesday February 16 1876

Pursuant to adjournment the
Court met to day at the Capitol
Present.
The Honorable Morrison R. Waite Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis Associate
Stephen J. Field Justices.
William Strong
Joseph P. Bradley
Ward Hunt
John G. Nicolay Esquire Marshal
Daniel Kelley Deputy Marshal Present.

Proclamation being made the
Court is opened.

On motion first made to
the Court in this behalf
by Ellis H. Dawes. it is ordered that George P. Sanger Esquire of Boston State of Massachusetts be admitted to
practice as an attorney and

counsellor of this Court and he was sworn accordingly -

On motion first made to the Court in this behalf by Hon J. E. McDonald, it is ordered that J. C. Black Esquire of Champaign State of Illinois be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly -

J. D. & Parrott Lamar. Error &c. vs. Appellants. A. J. Brownell et al Appellees.

137

The argument of this cause was continued by Mr E. N. Dickerson of counsel for the plaintiff in Error, continued by Mr Asst. Atty Genl Smith of counsel for the defendant in Error, concluded by Mr George T. Curtis

for the plaintiff in error.

152 D. F. Allen vs. Appellants The United States. Appeal from the Circuit Court of the United States for the Eastern District of North Carolina—

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of North Carolina, and on the motion of Mr. Att'y General Smith of counsel for the appellee it is now here ordered adjudged and decreed by this Court that this appeal be, and the same is hereby dismissed.

Per curiam Ch. Justice Waite.

Board of County Com'rs
of the County of Laramie
vs Appellants.
The Board of County
Comm'rs of the Counties
of Albany & Carbon

The argument of this cause was commenced by Atty. W. R. Steele of counsel for the appellants.

(Proclamation being made the Court is adjourned until tomorrow at ten o'clock-

Thursday February 1st, 1876—

Pursuant to adjournment the Court met to day at the Capitol—

Present

The Honorable Morrison R. Waite Chief Justice—

Nathan Cleaveland
Noah Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt

Associate Justices—

John T. Stanley Esquire Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened—

On motion first made to the Court in this behalf by Mr. Merritt and S. Carpenter it is ordered that Mr. Lot M. Morrill of Augusta State of Maine

and A.B. Johnson Esquire of Jefferson City State of Missouri be admitted to practice as attorney and counsellors of this Court and they were sworn accordingly. -

On motion first made to the Court in this behalf by ex. Phillip Phillips it is ordered that John D. Cooper Esquire of Chicago State of Illinois be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly. -

Christian J. Eyster. On motion
134 vs. Peffin. Error to ex. S
Thomas and James H. Goff - Petition for
writ of error
is hereby granted the clerk
to issue the mandate in this

cause.

Christian S Eyster
134 vs Peffer Error
Thos. Jas. W. J. off.-

On motion of Atty J. A Mills it is ordered that the order granting leave to the clerk to issue the mandate in this cause be, and the same is hereby rescinded; and the clerk is now directed to suspend the issuing of the mandate until after the expiration of three weeks from this date.-

The Bd. of County Comrs of the County of Laramie
133 vs. Appellants
The Bd. of County Comrs of Albany & Carbon Cos.

The argument of this cause was continued by Gen W. R Steele of counsel for appts, by Gen. A. S Jackson.

for the admission was con-
cluded by counsel for the
Appts.-

The Republican River Bridge Co.
vs Cliff in Error.
The Kansas Pacific Railway Co.-

The argument of this cause was commenced by Clerk Rell & Brotney of counsel for the plaintiff in Error.-

Proclamation being made the Court is adjourned until tomorrow at ten o'clock.-

Friday February 18. 1876.—

Pursuant to adjournment the Court met to day at the Capitol—

Present

The Honorable Morrison R. Waite Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.
} Associate Justices.

John F. Coyle Esquire marshal.
David Wilcox assistant clerk.

704 The United States vs Appellants
The Corliss Steam Engine Company.—

On motion of Mr. Coyle leave is hereby granted the Clerk to issue the mandate in this cause.—

Susan B. Allen, Appellant. vs. Thomas D. Allen. 99

On motion of Jas. A. Bradley of counsel for the appellant, it is now here ordered by the Court that the mandate issued in this cause to the Supreme Court of the District of Columbia, on the 20th day of January 1876. be, and the same is hereby recalled. And it is further ordered that the clerk of this Court, do forthwith certify under the seal of this Court to the Judges of the Supreme Court of the District of Columbia, a copy of this order.

The Republican River Bridge Company. vs. Pfeff in Error. The Kansas Pacific Railway Company. 154

The argument of this cause was com-

tained by Mr. W. T. Otto of counsel for the defendant in Error, and concluded by Mr R Mc Bratney of counsel for the plaintiff in Error.-

Samuel M Burkhart Petitioner (Appellant)
11 vs. Appellant. This
C.B. Bigelow et ab- cause
was
argued by Mr. B. F. Butler, of counsel for the appellant, and by Mr T. J. Durant for the appellee.—

John M Stall et ab Plaintiffs
135 vs. Offs in Error. were sub-
The United States mitted to
John M Stall et ab the con-
136 vs Offs in Error sideration
The United States.- of the Court
on the record
& printed arguments by Mr A. J Storrs of counsel for the Plaintiffs in Error, and

argued by the Assistant Attorney General Smith of counsel for the defendants in Error.-

Walter A Haldeman vs. Thos Peffer in Error, The United States. 157 This cause was argued by the Assistant Attorney General Smith of counsel for the defendants in Error, and submitted on printed arguments by the Johnson Harlan for the plaintiffs in Error.-

The Propeller John Taylor vs. The New Jersey Railroad & Transportation Company.- 158 vs. Appellant

The argument of this cause was commenced by the C. Van Santvoord of counsel

for the appellant -

Mr Jno Bradley having been of counsel did not sit in this cause. -

Proclamation being made the Court is adjourned until Monday next at twelve oclock -

Monday February 21st 1876.-

Pursuant to adjournment the
Court met to day at the Capitol-
Present.

The Honorable Morrison R. Waite Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis Associate
Stephen J. Field Justices.
William Strong
Joseph P. Bradley
Ward Hunt.

John G. Nicolay Esquire Marshal
Daniel Wesley Middleton Clerk

Proclamation being made
the Court is opened-

On motion first made to the
Court in this behalf by Mr
A. H. Jackson it is ordered
that Homer Merrill of Rawlins
Wyoming Territory. be admitted
to practice as an attorney and
counsellor of this Court and

he was sworn accordingly.-

On motion first made to the Court in this behalf by Mr J.B. Santoro it is ordered that William Lochren Esquire of Minneapolis State of Minnesota be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.-

664. James M. Townsend. vs. Appellants Alfred Todd & Phi. Laudo Armstrong Assignees of G. T. Hewlett a bankrupt of Connecticut.- Appeal from the Circuit Court of the United States for the District

This cause came on to be heard on the transcript of the record from the Circuit Court of the United

States for the District of Connecticut, and was argued by counsel.- On consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.-

Per Mr. Justice Hunt.-

876. John Warren, and J. Kearney Warren vs. Pelps in Error, Sheridan Shook late Collector of Internal Revenue.

In Error to the Circuit Court of the United States for the Southern District of New York.-

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New

York and was argued by counsel- On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.-

per curjustice Hunt.-

William W. Lathrop assignee in bankruptcy of James W. Adams. vs Appellant.
135. Samuel Drake & Jno Drake Jr. Excrs of John Drake decd & Winfield S. Hulick, admrs of Derrick Hulick decd Samuel Drake now or late doing business as Drake & Hulick Company.

Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to

to hand on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania and was argued by counsel.- On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the Circuit Court in this cause be, and the same is hereby reversed with costs- And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to enter a decree in favor of the complainant below, for the value of the goods of the bankrupt sold on the defendants executions with interest from the time that the same was de-

manded of them by the assignee less the amount to which they may be justly entitled for advances to satisfy the executions of D. Brown & Co. and Chauncey Blogs per curiam Justice Bradley.

Samuel B Lower, Superior Allen Walters, clerk and J B. Lower, and P. F. Rennberg, Justices of the Peace Putnam County. —	Dec error to the Circuit Court of the United States for the Northern District of
869 vs Plaintiffs in Error, The United States Exrel Geo. O. Clancy.-	Illinois.-

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States

for the Northern District of Illinois, and reargued by counsel.- On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby modified, so as to direct the board to assemble at their next regular semi annual meeting and allow said judgment - in all other respects the judgment is affirmed with costs.-

per curt. Justice Davis.-

William A. Stone
142. vs. Appellant
Ezra B. Young admr Appeal
of Robert H. Burney, from
decd Amanda ell^s the Cir-
Donough her hus cuit Court
band John ell^s of the
Donough, Lucilla United
Felt and her hus- States
band, Robert F for the
Felt, Matilda F. Southern
Burney, Anna District
V. Burney, Mary of
E Burney & Minnie Mississ-
Burney. — ippi.-

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Mississippi, and was argued by counsel - On consideration whereof, it is now here ordered adjudged and

decreed by this Court That the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to dismiss the bill.-

Mr Justice Miller

Edwin M Lewis Trustee of Jay Cooke & Co. Bankrupts, vs. Appellants The United States, Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania.

866

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District

of Pennsylvania, and was argued by counsel. - On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree & the said Circuit Court in this cause, and the same is hereby affirmed -

Per Curiam Justice Swayne -

Stenrille D. Gould Exctr of Charles Gould decd vs. Pliff in Error, The Evansville and Crawfordsville Railroad Co -

125 In Error to the Circuit Court of the United States for the District of Indiana -

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana and was argued

by counsel- On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs

Dissenting Justices Clifford & Mr Justice Bradley.

William C. Lotenstein vs. The United States. Appellant

113 Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel.- On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Court of Claims in

This cause coming on to be heard on the transcript of the record from the Supreme Court of the State of New York, and was argued by counsel- On consideration whereof it is now here ordered & adjudged by this Court that the writ of Error in this cause be, and the same is hereby affirmed- with costs.

Per curiam: Chief Justice Waite

Charles K. Brown vs. Jas Error to the
622 vs. Peffer in Error. Supreme
Frank D. Atwell ad- Court of
ministrator of Sarah the State
Scott deceased- of New
York.-

This cause coming on to be heard on the transcript of the record from the Supreme Court of the State of New York, and was argued by counsel- On consideration whereof it is now here ordered & adjudged by this Court that the writ of Error in this cause be, and the same is hereby dismissed for the want of jurisdiction-

Per curiam: Chief Justice Waite

George D. Cooley, and Henry Pike vs. John Dodds. (27) Appellants

In Error to the Court of Appeals of the State of New York.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of New York, and was argued by counsel - On consideration whereof it is now here ordered and adjudged by this Court that the writ of Error in this cause be, and the same is hereby dismissed with costs.

Per curiam Chief Jus: Waite

James S Reed, vs. John F. Cockrell (92) Appellant

On consideration of the motion of the Mississippi

to advance this cause it is now here ordered by the Court that said motion be, and the same is hereby denied. -

Harvey Seamans vs. Appellant
113 Mark Kimball Appellee. Orders
sidering of the motion

to modify the decree entered in this cause and of the arguments of counsel thereupon had, as well in support of as against the same, it is now here ordered by the Court that said motion be, and the same is hereby denied -

Susan B. Allen. Ordered
99 vs. Appellant by the
Thomas D. Allen Court that
the motion
of Mr. J.H. Bradley to enter

& to decree in this cause nunc pro tunc as of the first day of the term, be and the same is hereby assigned for argument on Monday next the 28th inst. -

The Phillips & Colby Construction Co. - vs. Opp. in Error Mark T. Seymour et al -

On consideration of the motion of Mr. Payne ordered that leave to and the same is hereby granted the Clerk to issue the mandate in this cause. -

44

Frank J. Mayer et al. vs. Opp in Error Max Freeman et al -

On motion of Mr. Sexton in behalf of Mr. N. T. Forrest leave is hereby granted the Clerk to issue the man-

546.

date in this cause.-

Marcus Luce & Roberts et ab.- vs. Appellants The United States. — On motion of Col. T. Wilson leave is hereby granted the Clerk to issue the mandate in this cause.

539.

The United States vs Appellant Mary B. Habersham Executrix of Robert Habersham.) — Appeal from the Court of Claims.

821

This cause came on to be heard on the transcript of the record from the Court of Claims, and on the stipulations of counsel for the respective parties on file it is now here ordered and adjudged by this Court, that the judgment of the said Court of Claims in

This cause be, and the same is hereby reversed. And that this cause be, and the same is hereby remanded to the said Court of Claims for further proceedings to be had therein in conformity with the opinion of this Court delivered in the case of the United States Appellant vs. John L. Villalonga. No. 334. of October Term 1874.-

per curt. Chief Jus. Waite

The Chief Justice announced to the bar that no cause will be heard on the regular call of the docket, after this week, and that after the argument of cases assigned for Monday next, the Court will take a recess until Wednesday the 15th day of March next.-

138 The Propeller John Taylor &c vs. Appellant The New Jersey Railroad and Transportation Company.- The argument of this cause continued by Clerk C. Van Santvoord of counsel for the appellant by Mr. W. R. Beebe of counsel for the appellee and concluded by Clerk C. Van Santvoord of counsel for the appellant.-

834. Theodore A. Arthur. (assignee) Cause to vs. Peffer &c Error. James P. Cumming et al.- The argument of this cause was commenced by Clerk Pratt Atty Gen'l Smith of counsel for the plaintiff in error.-

Proclamation being made the Court is adjourned until Wednesday the 23d inst at 12 o'clock.

Wednesday February 23d 1876.

Pursuant to adjournment the Court met to day at the Capitol.-

Present.

The Honorable Morrison R. Waite Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis Associate
Stephen J. Field Justices.
William Strong
Joseph P. Bradley
Ward Hunt.-

John G. Nicolay Esquire marshal
Daniel Kelley Middleton Clerk.-

Proclamation being made the Court is opened.-

Proceedings of the bar of the Supreme Court of the United States on the death of the late Hon. Reverdy Johnson.-

The Attorney General said:
May it please your Honors.
When an eminent citizen of the Republic, whose eminence has been achieved by an honorable career in the public service, in professional life, or in the less conspicuous but not less useful works of private benevolence, dies - it is fit that some public notice be taken of the event, and that some permanent record be made to encourage and inspire those who are to come after us.
Reverdy Johnson who recently departed, full of years and of honors, was during a long period, one of the most eminent Lawyers of this Country, and one of the very foremost counsellors of this High Court. He held with distinguished ability and honor, respectively

The great offices of Minister to England, Senator, & Attorney General of the United States. He has left a fame, and an honored memory of which his descendants, and his Country may be justly proud

The Bar of the Supreme Court met, to do honor to his name and passed the Resolutions which I now have the honor to read. -

Resolutions

Resolved - That the Bar of the Supreme Court of the United States has received with deep sorrow, the intelligence of the death of Reverdy Johnson, for more than half a century an eminent and honored practitioner in this Court.

Resolved - That the memory of said Johnson deserves to be cherished by the Bar as most honorable to the profession

of which he was a distinguished
member as dear to the Court
which he has benefited by
his great contributions to the
science of jurisprudence and
as valuable to the Republic
in whose service as citizen
Attorney General and Diplo-
matist, he was wise and faith-
ful.
Resolved that the Attorney
General be requested to com-
municate these resolutions
to the Court, and to move
that they be entered of record.
and
Resolved, That they be com-
municated to the family of
the Johnson, with the ex-
pression of the earnest con-
dolence of the Bar."

I ask your Honors to receive
this tribute to the memory of
a great lawyer, and an

eminent public men, and to order these resolutions to be entered in the permanent Records of the Court,

The Chief Justice replied as follows:

The Court gives its ready assent to the sentiments so well expressed in the resolutions of the Bar, that Johnson was admitted to practice here on the first day of March 1824. The first case in which he appeared as counsel was that of Brown vs. The State of Maryland, argued and decided at the January Term 1827. Associated with him was the late Chief Justice Taney, and opposed were Mr. Wirt, the then Attorney General, and Mr. Meredith; all names familiar in history. - The opinion was delivered by Chief Justice

Marshall and it stands to
day as a monument marking
the boundary line between
the powers of the United States
under the Constitution on the
one hand and those of the
States on the other
From the commencement of
his practice here until his
death, Chief Johnson was ex-
tensively employed, with
scarcely an intermission
in the most important cases.
He was always welcome as
an advocate, for he was
always entertaining. His
friendship for the Court
was open, cordial, sincere.
We mourn his loss both
as Counsellor and friend.
The request of the bar is
cheerfully acceded to. The
resolutions are received in
the same spirit they have
been presented, and the

Clerk could cause them to be entered upon the records of the Court -

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On motion first made to the Court in this behalf by Mr Lyman Trumbull it is ordered that Henry J Bilder Esquire of Chicago State of Illinois be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly. -

On motion first made to the Court in this behalf by Mr J B. Sanborn it is ordered that Austin A. Young Esquire of Minneapolis State of Minnesota be admitted to practice as an attorney & counsellor of this Court and

he was sworn accordingly.-

On motion first made to the Court in this behalf by Col. W. W. Boyce it is ordered that A. R. Lawton Esquire of Savannah State of Georgia be admitted to practice as attorney and counsellor of this Court and he was sworn accordingly.-

On motion first made to the Court in this behalf by Hon. W. McSpringer it is ordered that John M. Rountree Esquire of Chicago State of Illinois be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.-

The National Bank of Commerce of Boston
15 vs. Pfaff in Error
The Merchants National Bank Succumbs Jones.

On motion of Mr E. Foster leave is hereby granted the Clerk to issue the mandate in this cause.

John S Mills et al
79 vs. Pfaff in Error
Horace B. Claflen et al

On motion of Mr Trumbull leave is hereby granted the Clerk to issue the mandate in this cause.

G. De Russet Lamar
Exr &c
101 vs Appellants
A.J. Brown et al
&c Agents.

On motion of Mr Pike leave is hereby granted him to file brief in this cause, and to furnish copy to the counsel

entered with leave to them to reply to the cause.-

Daniel Wetherell vs. Pfff in Error. Clark W. Upton Atty. for Plff.

On motion of counsel for Plff in Error leave is hereby granted the Clerk to issue the mandate in this cause.-

440

John Cummings et ab vs. Pfff in Error. Louis Ehlers.-

On motion of counsel for Plff in Error on behalf of Mr Goetzhausen leave is hereby granted the Clerk to issue the mandate in this cause.-

97

Chester A. Arthur Collector vs. Pfff in Error. Jas P. Cumming et ab

The argument of this cause was continued by Asst. Attorney Gen'l Smith of counsel for

834

the plaintiff in Error. by Mr Stephen G. Clarke of counsel for the defendant in Error. & concluded by Mr Asst Attorney General Smith for the plaintiff in Error.

The Mutual Life Insurance Company of New York. - 109 vs. Jeffris Error. C. S. Jeffris Admr &c.

This cause was argued by Mr Mark H. Carpenter of counsel for the plaintiff in Error. and submitted on printed arguments by Mr F. H. Brewer, and Mr Jno. L. Lewis for the defendant in Error.

William A. Heath Law and wife 160 vs. Jeffris in Error. & Henry L. Howell Collr Int Revenue.

Mr Henry Cooper a suggestee of the death of Henry

L. Norvell the defendant in Error in this cause and moved the Court for leave to enter the appearance of William H. Trafford a public admr. of the said Henry L. Norvell deceased; Whereupon it is now here ordered by the Court that William H. Trafford public admr. of the said Henry L. Norvell deceased as aforesaid be and he is hereby entered as the party defendant in Error in this cause with liberty to resist this writ of Error. -

William A. Cheatham and wife vs. Pepper in Error Wm H. Trafford admr & Henry L. Norvell Calls decd. -

160

This cause was argued by and Henry Cooper of counsel for the Plaintiff in Error. and by

ner Apt Atty General Smith of counsel for the defendant in error.-

The Connecticut Mutual Life Insurance Company.-
161 vs. Pfff in Error
Louis Loverton.

This cause was argued by Mr L. B Treat of counsel for the plaintiff in error. and submitted on printed argument by ner A. J. Bentley of counsel for the defendant in Error.-

John W. Mumbertal
162 vs. Appellants
The 1st National Bank of Washington.-

The argument of this cause was commenced by ner J J Johnson of counsel for the appellants & continued by ner Enoch Totten of counsel for the appellee and by ner R. K. Elliott for the

appellants. -

Proclamation being made
the Court is adjourned until
tomorrow at twelve o'clock -

Thursday February 24. 1876.-

Pursuant to adjournment the Court met to day at the Capitol.-

Present

The Honorable Morrison R. Waite Chief Justice
Nathan Clifford
Noah H. Swayne.
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.
} Associate Justices.

John G. Nicolay Esquire marshal
Daniel Wesley Middleton Clerk.

On motion first made to the Court in this behalf by Mr W. M. Warren it is ordered that Samuel M. Crocker junior Esquire of Boston State of Massachusetts be admitted to practice as attorney and counsellor of this Court, and he was sworn accordingly.-

On motion first made to the Court in this behalf by Hon. J. A. Garfield it is ordered that S. C. Terrell Esquire of Cleveland State of Ohio be admitted to practice as attorney and counsellor @ this Court and he was sworn accordingly. -

On motion first made to the Court in this behalf by Mr T. J. Durant it is ordered that William A. Scott Esquire @ New York City be admitted to practice as an attorney and counsellor @ this Court and he was sworn accordingly. -

The Selma & Meridian R. R. Co. and Wm. M. Byrd. Wm. E. Clarke Thomas A. Wacker, Wm. S. Knox. Charles Nash, Charles T. Pollard. H. Bancroft Davis. Peyton. Jandon, Adams Knapp. William St. Stungerford. J. C. C. Gould. Andrew Johnson & the City of Selma—

933. vs Appellants

The Louisiana National Bank of New Orleans. Charles Lanier and the Memphis and Charleston R. R. Co.—

and W. H. Scott of counsel for the Appellees having filed and read in open Court the following certificate. to wit:

"The Louisiana National Bank of New Orleans and Charles Lanier and The Memphis & Charleston Railroad Company Plaintiffs or Complainants—

The Selma and Meridian

Railroad Company, William
M. Byrd, William E. Clarke,
Thomas A. Walker, Wm. L. Sinon,
Charles Walsh, Charles T. Pollard,
J. C. Bancroft Davis, Peyton
Jandon, Adam Knapp,
William H. Hungerford, J
M. K. Gould, Andrew Johnson,
and the City of Selma -
Defendants -
To the Honorable the Supreme
Court of the United States -
The appeal of the
Selma and Meridian
Railroad Company and the
other defendants in the
above entitled cause, res-
pectfully shows: That up-
on the 19th day of March, 1868,
the above named complain-
ants filed their bill in the
district Court of the United
States for the Middle Dis-
trict of Alabama against
the above named defend-

ants and appellants praying among other things for the foreclosure of mortgages therein mentioned and the sale of property therein mentioned as more fully and at large therein appears. That at the terms of said District Court, beginning on the 4th Monday of November 1870, a final decree bearing date February 22d. 1871 (a day of said last mentioned term) was made and pronounced in the cause, wherein it was in substance (among other things) adjudged and decreed that the railroad of said Selma & Meridian Railroad Company and other property of said Company be sold for the satisfaction of debts therein mentioned, as more fully and at large appears by said

final decree which is here referred to, as part hereof.

That said final decree is erroneous and contrary to law, and ought to be reversed.-

Wherefore these appellants appeal from the whole said decree said District Court and from every order and decree made in said cause by said District Court, (which cause and all decrees and orders therein made by said District were by and under the operation of an act of Congress of the United States approved in March 1873 transferred to the Circuit Court of the United States at Mobile in the State of Alabama and now remain in said Circuit Court under said act of Congress)

These appellants respectfully

pray that the final decree said District Court and all other decrees and orders made in said cause by said District Court, and the bill, answers pleadings, depositions, evidence and proceedings in said cause may be sent to the Supreme Court of the United States without delay, and that the said Supreme Court will proceed to hear the said cause anew, and that the said final decree said District Court, and every part thereof, as well as of every other order or decree said District Court may be reversed, and a decree made dismissing said bill with costs, or such other decree as to the said Supreme Court shall seem just. June 16. 1876.
Brooks & Rice. Solicitors & Counsel for Appellants.-

The United States - Mobile Alabama

The appeal prayed for and sought by the foregoing petition is allowed but not as a supersedeas and the appeal bond executed by appellants with sureties, bearing even date herewith is approved, this 16th day of June 1875.

(signed) W.B. Woods
Judge.-

I S. W. Trimble Clerk of the Circuit Court of the United States for the Southern District of Alabama do hereby certify the foregoing to be a true copy of the petition for appeal and the order allowing same in the cause aforesaid as the same appears of record in my office.-

In testimony where-
of, I hereunto sub-
scribe my name

and cause thereof
the Circuit Court
to be affixed the 10th
day of December A.D.
1875:-

A. N. Trimble
Clerk-

and having stated that
the appellants have altogether
failed to file the record
of said cause in this Court
or to do any way to prosecute
said appeal- now here
moved the Court in pur-
suance of the 9th rule of
this Court to have this
appeal docketed and dis-
missed- On consideration
whereof it is now here
ordered adjudged and
decreed by this Court that
this appeal from the Cir-
cuit Court of the United States
for the Southern District of
Alabama, be and the same

is hereby dockeled and dismissed with costs- And that this cause be, and the same is hereby remanded to the said Circuit Court to be proceeded in, according to law and justice.

Per curt Chf Jus: Waite.-

John N. Allen et al
162 vs Appellants—
The First National
Bank of Washington.

The argument of this cause was concluded by Mr R. H. Elliott of counsel for the appellants.-

Elon Farnsworth
et al
164 vs Appellants
The Union Pacific
Railroad Company
et al.-

The argument of this cause was commenced by Mr. S. F. Masterson of counsel

for the appellants. & continued by Gen. A.R. Biggers vs. W.H. Scott & al counsel for the appellees.-

Proclamation being made the Court is adjourned until tomorrow at ten o'clock.-

Friday February 25. 1876.-

Pursuant to adjournment the Court met to day at the Capitol-

Present

The Honorable Morrison R. Waite Chief Justice
" Nathan Clifford
" Noah H. Swayne
" Samuel F. Miller
" David Davis Associate
" Stephen J. Field Justices
" William Strong
" Joseph P. Bradley
" Ward Hunt -

John F. Stanley Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Hon Wm Pinkney Whyte, it is ordered that Frederick O. Prince Esquire of Boston State of Massachusetts be admitted to practice as an attorney and counsel-

ter of the Court and he was sworn accordingly.-

On motion ferst made to the Court in the behalf by Mr J.B. Sanborn it is ordered that Stanford Stewart Esquire of St Paul State of Minnesota, and John H. Baker Esquire of Goshen State of Indiana be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

482. C. W. Upton Appellee vs Peff in Error J.D. Tibbetts — On motion of Mr R P Lowe leave is hereby granted the Clerk to issue the mandate in this cause.-

Sophia Bigelow Admx. etc
113 vs Appellant. Boyne
Berkshire Life Insurance Atty.
Company.- gentb

ike

death of Sophia Bigelow Admx of O.W. Bigelow decd, one of the appellants in this cause & moved the Court that the cause proceed in the name of Henry P. Bigelow surviving admr. of the said Henry W Bigelow Whereupon it is now here ordered by the Court That this cause proceed in the name of Henry P Bigelow surviving admr of the said Henry W. Bigelow, and that the said cause stand for hearing and determined, the same as if said death had not occurred.-

Elon Farnsworth
164 vs. Appellants,
The Illinois Pacific
Railroad Company et al

The argument of this cause was concluded by Mr. O. F. Masterson of counsel for the appellants.-

The Piedmont & Arlington
Life Insurance Company
165 vs Plff in Error
Ashley W. Ewing admr &c

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. M. Bowers and Mr. J. D. Lawrie of counsel for the plaintiff in error, and by Mr. B. A. Hill for the defendant in Error.-

This case was also orally argued by Mr E. C. Carrington in behalf of the plaintiff in Error —

Harvey Terry. vs. Plff in Error
166 Emily S. Dubuar

This cause was argued by Mr Harvey Terry the plaintiff in Error, and submitted on printed arguments by Mr. W. S. Hull for the defendant in Error.-

Henrietta Hoffman vs Appellant.
148 The John Hancock Mutual Life Insurance Co.-

The argument of this cause was commenced by Mr J. A. Garfield of counsel for the appellant.-

Proclamation being made the Court is adjourned until Monday next at 12 oclock.-

Monday February 28th 1876.-

Pursuant to adjournment the
Court met to day at the Capitol-

Present

The Honorable Morrison R. Waite Chief Justice
Nathan Clifford
Noah H Swayne
Samuel F. Miller
David Davis Associate
Stephen J Field Justices.
William Strong
Joseph P. Bradley
Ward Hunt.-

John G Nicolay Esquire Marshal
Daniel Wesley Middleton Clerk-

On motion first made to the
Court in this behalf by Mr
Matt H Carpenter it is ordered that George L. Chapin
Esquire of Chicago State of
Illinois and Jesse J. Finley
Esquire of Jacksonville State
of Florida be admitted to prac-
tice as attorneys and counsellors
of the Court and they were

record accordingly.-

Walter N. Waldeman &c
Reuben S. Barrett and
James V. Escott.
vs. Plff's in Error.
The United States

187

Def's in error. Writ of error to the Circuit Court of the United States for the District of Kentucky.-

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky, and was argued by counsel.- On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed.- Per curiam Justice Davis.-

The Union Pacific R.R. Co. -
vs. } In Error
Peff in Error } to the Cir-
Samuel E. Hall } cuit Court
& Jno. W. Allore- } of the
United
States for
the District of Iowa -

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa, and was argued by counsel - On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs -

per Mr. Justice Strong.

Dissenting
Mr. Jus: Bradley -

John R. Shipley, Charles Parsons & John F. Gitton, devisees trustees under the will of William H. McPherson deceased. -

vs

141. Pelf's in Error. -

John Epps Coroner.
Samuel McCalemore.
Samuel A Niles. Edward B. Morgan & Michael Chartrand.
Joseph L. Chartrand
Felix F Chartrand.
Pascal F. Chartrand & Antoine F. Chartrand. -

In Error to the Supreme Court of the State of Illinois

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and was argued by counsel. On consideration whereof it is now here ordered adjud-

ged and decreed by this Court that the decree of the said Supreme Court in this cause, and the same is hereby affirmed with costs.-

Justice Field.

The Republican River Bridge Company.- In error to the
154. vs. Supreme
Peppin et al. Court of
The Kansas Pacific the State
Railway Company.- of Kansas.-

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and was argued by counsel.- On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the

same is hereby affirmed with costs.-

per curt Justice Miller.

146 Henry H. Raymond vs. Peffer & Others vs. Williams & Thomas } In Error to the Supreme Court of the State of South Carolina.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of South Carolina and was argued by counsel- On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with cost.-

Per curt Justice Swayne.-

James L. D. Morrison
Julia A. A. S. Morrison
his wife and Edward
Strud Trustee of the
said Julia A. A. S.
Morrison
139 vs. Plaintiffs in Error
Samuel Jackson-

In Error
to the
Circuit
Court of
the United
States
for the
Eastern
District
of Missouri.-

This cause came on to
to be heard on the transcript of the record from
the Circuit Court of the
United States for the East-
ern District of Missouri
and was argued by coun-
sel- On consideration where-
of it is now here ordered
and adjudged by this Court,
that the judgment of the said
Circuit Court in this cause
be and the same is here-
by affirmed with costs.-
per curiam Justice Clifford-

James L. D. Morrison
Julia A. A. S. Morrison
his wife, and Edward
Abend. Trustee Said
Julia A. A. S Morrison-
140. vs. Pfeffs. in Error.
William H. Benton

In Error
to the Cir-
cuit Court
of the United
States for
the East-
ern District
of Illinois.

This cause came on to be
heard on the transcript of
the record from the Circuit
Court of the United States
for the Eastern District
of Illinois, and was
argued by counsel- On
consideration whereof it
is now here ordered and
adjudged by this Court that
the judgment of the said Cir-
cuit Court in this cause be,
and the same is hereby
affirmed with costs.-

per curt. Justice Clifford.

The Orapeller John Taylor
her Eugene &c, Benjamin
Akers. Samuel Schuyler
William H. Taylor and
Erastus Corning Jr. Ex-
ecutor of Erastus Corning
deceased claimants.
108 vs Appellants
The New Jersey Rail-
road and Transportation Company.
Libellant and appellee.

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof it is now here ordered adjudged & decreed by this Court that

the decree of the said Circuit in the cause be, and the same is hereby affirmed with costs and interest until paid at the rate per annum that similar decrees bear in the Courts of the State of New York.—

per curiam Chief Justice Waite.—

159 The Mutual Life Insurance Company of Newyork— vs. Pleffix Error to C. S Jeffries, admr. of Allen A. Kennedy deceased.— In Error to the Circuit Court of the United States for the Eastern District of Missouri.—

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of

Missouri, and was argued by counsel- On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs- but that this cause be, and the same is hereby remanded to the said Circuit Court with directions to award a new trial-

per curt. Chief Justice Waite.

The Connecticut Mutual Life Insurance Company vs. Louisa Covington

161 Plaintiffs in Error, vs. Defendant in Error.

In Error to the Circuit Court of the United States for the District of Kansas.-

Monday February 28. 1876. continued -

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas, and was argued by counsel.- On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Kansas.

per curiam Chief Justice Waite.-

907 The United States Appls vs. Geo. W. Ross.
908 " " " " " Jno. P. Raymond
911 " " " " " Thos Kidd
912 " " " " " J. J. Cowan.
913 " " " " " J.B. Brabston
914 " " " " " Charlotte Read
915 " " " " " E.K. McLean
916 " " " " " S. Reese Cook
917 " " " " " Edwd. Batchelor
918 " " " " " Geo. Hawkins
919 " " " " " J.J. Cowan
921 " " " " " R.G. Johnson
922 " " " " " Wm J. Smith
923 " " " " " R. McDonald
924 " " " " " Hannah Bodenheim Exx

On motion of Asst Atty Genl Smith, it is Ordered by the Court that these causes be advanced and assigned for argument on the 4th day of April next.

935. The Home Insurance Co. vs. Peff in Error. George Newman. Mr. J.B. Sanborn presented the certificate of the Clerk, and moved the Court under the 9th rule to have the writ of Error in this cause to the Circuit Court of the district of Minnesota docketed and dismissed. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

976. David F. Barney vs. Appellant The St Paul Boat & R. Marine Ry Co. The motion to dismiss this cause was submitted to the consideration of the Court on printed arguments by Mr Thomas Young in support of the same and by Mr.

Jeb. Gaiteau in opposition thereto.-

Harvey Jerry
2nd vs. Appellant
The Bank of
Commerce.

Ent Jerry by leave of the Court. filed motion to complete the record in this cause.-

Peter B. Amory
5788 vs Pepper Exor.
Sam'l B & Jno Amory.
Exors &c.-
and
Peter B. Amory
5789 vs Pepper Exor.
Sam'l B. and
Jno. Amory Exors.

The motion to dismiss these causes was submitted to the consideration of the Court on printed arguments by Ent Matt H. Carpenter in support of the same, and by Ent Geo. F. Edmunds in opposition thereto.-

Chas C. Smallidge vs. Peffer as Exor. etc. Miles White

139

On motion of counsel for Leave is hereby granted the Clerk to issue the mandate in this cause.-

The State of Florida vs. Complainants E C Anderson Jr. et al.

3 ord.

On motion of Col. W. G. McDaniel leave is hereby granted him to file petition in behalf of the Jacksonville Pensacola and Mobile R. R. Co. that it be allowed to intervene in this suit to set up title to the Rail Road from Lake City to Chattahoochee and its branches and the property appurtenant now in hands of Receiver as set out in petitions presented to the Court.-

3 orgs. The State of Florida vs Complainant E. C. Anderson Jr et ab — On motion of Col St. Carpenter leave is hereby granted him to file petition of D. P. Holland for an order on the Record to apply money in his hands to payment of Holland's judgment-

3 orgs. The State of Florida vs Complainant E. C. Anderson Jr et ab — On motion of Col W. W. Boyce leave is hereby granted him to file petition of E. C. Anderson Jr et al for further directions under the decree of this Court.-

3 orgs. The State of Florida vs Complainant E. C. Anderson Jr et ab — On motion of Col Bro. the leave is hereby granted him to file answers

to motions and petitions in this cause.-

The State of Florida
3 orgl vs Complainants
E. C. Anderson Jr et al

Ordered by the Court that all motions in this cause be, and the same are hereby postponed until Monday the 20th of March

Susan D. Allen
99 vs Appellants-
Thomas D. Allen

This cause being advised by the notice and motion of Joseph H Bradley who was of counsel for the said Thomas D. Allen filed on the 21st February 1876, and by the admission of the appellant by her counsel in open Court that the said Thomas D. Allen died after the said cause had been argued, and submitted to the Court

and before the opinion of this Court was delivered. That a mandate was issued to the Supreme Court of the District of Columbia from which Court the appeal in this cause was prayed to this Court; and being satisfied that the said mandate has by order of this Court been recalled, and has been returned to this Court.

Upon hearing counsel for the said appellant upon the said notice and motion. it is by the Court ordered and adjudged that the decree heretofore entered in this cause, be entered nunc pro tunc as of the first day of this term.

And it is further ordered that a mandate in this cause be issued to the

said Supreme Court of the District of Columbia to execute the said decree-

684 The State of Louisiana ex rel J. L. Mc Bauley vs. Pelt ex Collr & Charles Clinton Auditor &c.- The motion to dismiss this cause was submitted to the consideration of the Court on printed arguments by Mess. J. R. A. Fellows, and Messrs Durant and Storrow in support of the same, and by Messrs Chipman and Hoomes in opposition thereto.-

148 Kennetta Hoffman vs. Appellant The John Hancock Mutual Life Insurance Company- The argument of the cause was

continued by Mr J. A. Garfield of counsel for the appellant and by Mr H.L. Terrell for the appellees. -

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock -

Tuesday February 29. 1876.—

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis Associate
Stephen J. Field Justices.
William Strong
Joseph P. Bradley
Ward Hunt.

John G. Nicolay Esquire Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

985 The Home Insurance Company.— vs. Peppin Error. George Newman

and J. B. Sanborn of counsel for the defendant in Error having filed and read in open Court the

following certificate to wit:
Circuit Court of the United
States for the District of Minne-
sota.-

George Newman
vs.
The Home Insurance
Company of New
York.
} Debt
on
policy of
Insurance

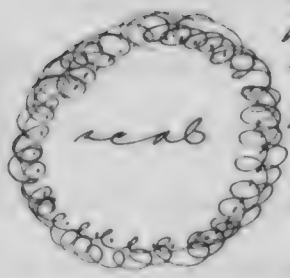
District of Minnesota Office
of the Clerk of the Circuit Court
of the United States- ss.

I Horatio C. Nunn,
Clerk of the Circuit Court of
the United States for the
said District of Minnesota
do hereby certify that on the
11th day of January A.D. 1875;
judgment was duly entered in
said Court in favor of the
said above named George
Newman plaintiff in the
above entitled cause and

against the said above named Home Insurance Company of Newyork defendant in said entitled cause for the sum of three thousand nine hundred and eighty-nine 37/100 dollars besides the costs of said suit, and thereon the 27th day of January A.D. 1875 the said defendant sued out of said Court a writ of Error to reverse said judgment which writ of Error was duly allowed, and afterwards to wit. on the 27th day of January A.D. 1875; the said defendant filed in said Court its Supersedeas Bond in said Entitled cause which was duly approved and allowed by said Court. And I further certify that no bond to secure the fees of the Clerk of the Supreme

Court of the United States in said cause has been filed with me or in my office.-

In testimony whereof I have hereunto set my hand and affixed the seal of said Circuit Court at my office in St Paul in said District this 24th day of February 1876.-



S. E. Mann-
Clerk U.S.-

And having stated that the Plaintiff in Error had altogether failed to file the record of said cause in this Court or in any way to prosecute said writ of Error - now here moved the Court in pursuance of the 9th rule of this Court to have the writ of Error in this cause docketed and dismissed - On consideration

whereof it is now here ordered and adjudged by this Court that the writ of Error in this cause to the Circuit Court of the United States for the district of Minnesota be, and the same is hereby dockited and dismissed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.-

per curiam Chief Justice Waite.

986 The United States cross a a appellants. Sargent Francisco & Alvarado, of counsel for the appellee having filed and read in open Court the following certificate to wit:

Intermediate Term January A. D. 1862, Monterey Monday April 28th 1862, 10 o'clk

A.M.

Court met pursuant to adjournment. —

Present.

Hon Fletcher M Haight —
U.S. Dist Judge.
B.C. Whiting U.S. Dist atty.
John O Wheeler Clerk.
Henry D. Burrows Marshal —

× ×× ×× ××× ×× × × × + +

Francisco Alvarado } No 142. D.C.
vs
The United States } No L.C.

Now comes B C Whiting U.S. Dist atty and moves the Court that an appeal be allowed the U.S. in this case to the Supreme Court of the U.S. from the order and decree of this Court heretofore rendered — which motion being heard, and by the Court understood, is granted. —

+ + + + + × × × + + ×

I, Southard Hoffman Clerk of the District Court of the United States for the District of California do hereby certify the foregoing to be a full true and correct copy of an order made in the cause of Francisco Alvarado vs The United States dated May 1st 1862. of record in my office. And I do further certify that no proceedings have been had in said cause since the entry of said order on May 1st 1862. as appears by inspection of the records of the late District Court of the United States for the Southern District of California now in my office. -

Seal

Attest my hand and seal of said District Court this 18th day of February A.D. 1876. -

Sanford Hoffman
Clerk
by A. D. Grimwood
Deputy Clerk

and having stated that the appellant had altogether failed to file the record said cause in said Court, or in any way to prosecute said appeal - that he removed the Court in pursuance of the 9th rule of the Court to have this appeal from the District Court of the United States for the Southern District of California docketed and dismissed. - On consideration whereof it is now here ordered adjudged and decreed by the Court that the appeal be, and the same is hereby docketed and dismissed - And that this cause be, and the

cause is hereby remanded to the District Court of the United States for the District of California, to be proceeded in according to law and justice.-

Per curiam Chf Justice Waite.-

3 orders

The State of Florida vs E. C. Anderson et al

Whereas complainant confesting applications for the possession of the property in the hands of the receiver in this cause have been made by the complainants and others; and it being suggested to the Court that in proceedings on appeal from the decree or decrees of the Duval County Circuit Court of Florida, in the case of the State of Florida, and the Trustees of the Internal Improvement Fund of said

State against the Jacksonville Pensacola and Mobile Railroad Company and others referred to in the Pleadings and evidence in this cause, the Supreme Court of said State has made a decree or decrees affecting the respective claims of said Parties in this behalf: Now in order that the Court may more fully informed as to who are the proper parties or persons to whom the said property should be delivered.

It is hereby ordered that the said receiver procure and lay before the Court a duly certified copy of the record, proceedings, and decree or decrees of the said Supreme Court of Florida in the premises if any such there be.-

Henrietta Hoffman vs Appellant The John Hancock Mutual Life Insurance.-

148

The argument of this cause was conducted by Mr J.A. Garfield of counsel for the appellant

Henry B. Miller Collector of Cook Co. et ab.- vs appellants Morris K. Jessup et ab.

701

(assigned) This cause was argued by Mr. J.K. Edsall of counsel for the appellants and by Mr Obadiah Jackson and Mr P.P. Phillips for the appellees.-

Isaac Taylor et al of Peoria Co. et ab- vs Appellants Jas F. Scott et al-

702

The argument of this cause was commenced by Mr Lynde Trumbull of counsel for the appellants.-

Proclamation being made the Court is adjourned until tomorrow at ten o'clock

Wednesday March 1st 1876.-

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Morrison R Waite Chief Justice
Nathan Clifford
Noah H Swayne.
Samuel Miller
David Davis Associate
Stephen J. Field Justices.
William Strong
Joseph P. Bradley
Ward Hunt.

John G. Nicolay Esquire Marshal
Daniel Kelley Assistant Clerk

Proclamation being made the Court is opened.-

On motion first made to the Court in this behalf by Hon O H Browning it is ordered that John J. Robinson Esquire of Canal Town State of Ohio be admitted to practice as an attorney and counsellor of

This Court, and he was sworn accordingly.-

127 Maria Romic et al vs. Peffs in Error. Jesse Cavanova.- On motion of Mr. Grow leave is hereby granted the Clerk to issue the mandate in this Cause.-

611 Magdalena A. Green widow &c vs. Peffs in Error. Edgar A Switzer. On motion of Mr Grow leave is hereby granted the Clerk to issue the mandate in this cause.-

702 Isaac Taylor Coll. of Peoria County et al.- vs. Appellants James F Scott et al. (Assigned) The argument of this cause was continued by Mr R. G. Ingersoll of counsel for the appellees.

concluded by Mr J K Edwards of counsel for the appellants.-

Norman Lee and Henry B Miller Exrs of Cook County et al vs Appellants
703 Henry P Kidder et al

This cause was argued by Mr Lyman Trumbull and Mr J K Edwards of counsel for the appellants and by Mr Wirt Dexter and Mr O. H. Browning of counsel for the appellees.-

The Steamship Mustang vs The United States & Brazil Mail Steamship Co. Claimants.-
297 vs Appellants
Frankheim Bewin.

Appeal from the Circuit Court of the United States for the Southern District of New York.-

Wednesday march 1st 1876 continued.-

The cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and on the stipulation of counsel on file & motion of Asst. A. Fendall on behalf of counsel it is now here ordered adjudged and decreed by this Court that this appeal be and the same is hereby dismissed each party paying their own costs.-

per curiam Chief Jus Waite.

936 The United States vs Appellant- Francisco et al Alvarado

On motion of Asst A. A Sargent leave is hereby granted the Clerk to issue the mandate in this cause.-

George D. Craig et ab. On motion
527 vs. Epps. is Error of cir. C
John Devlin. - Ferdnd.
leave is
hereby granted the Clerk
to issue the mandate in
this Cause. -

Proclamation being made the
Court is adjourned until Wednes-
day the 16th inst at 10 o'clock -

Wednesday March 15th 1876-

Pursuant to adjournment the Court met to day at the Capitol.-

Present

The Honorable Morrison R. Waite Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis Associate
Stephen J. Field Justices
William Strong
Joseph P. Bradley
Ward Hunt-

Proclamation being made the Court is opened-

On motion first made to the Court in this behalf by Mr. Ellis Carpenter it is ordered That John T. Wilson Esquire of Boston State Massachusetts be admitted to practice as an attorney & counsellor of this Court and

he was sworn accordingly.-

On motion first made to the Court in this behalf by Col P Phillips it is ordered that H. T. Stephens Esquire of Lawrence State of Kansas be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.-

On motion first made to the Court in this behalf by Hon. J W Johnston it is ordered that Charles J. Stringfellow Esquire of Petersburg State of Virginia be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.-

Wednesday March 15, 1876 Continued.-

The Propeller "John Taylor" &c
158 vs. Appellants. -
The New Jersey Rail-
road & Transportation
Company. -

On
motion
of the
E. Settle
leave
is here-
by granted the Clerk to issue
the mandate in this cause

John T Wilson
943 vs. Peggie Error &
Dan'l Goodrich as
assignee in bank
ruptcy of Wm T
Wilson & Co. -

In error to
the Supreme
Court of the
Commonwealth
of Massachusetts
in and for
the County of
Suffolk.

On motion of the John T.
Wilson the Plaintiff in
Error in this cause - It is
now here ordered by the
Court that a writ of
Supersedeas be, and the
same is hereby awarded

to be directed to the Judges of the said Superior Court, and to the Sheriff and his deputies in and for the County of Middlesex in the Commonwealth of Massachusetts, commanding and enjoining the said Court and the said Sheriff and his deputies to stay every and all proceedings upon the writ of Fieri Facias issued from the said Superior Court on a judgment obtained by the said James M. Goodrich Assignee &c, against John T Wilson - pending this writ of Error -

The United States vs Plaintiffs John W. Norton

673 Ordered by the Court that this cause be passed until after the argument of No 169. -

167 Enoch Totten adm.rc vs. The United States. appellant- This cause was argued by ell. Enoch Totten of counsel for the appellant. and by ell Asst Atty Genl Smith of counsel for the appellee.-

168. Horatio N. Spencer vs. The United States- Appellant This cause was argued by ell. Joseph Casey of counsel for the appellant and by ell Asst Atty Genl Smith of counsel for the appellee.-

169. John Doe Ex dem Sidney Oakenick et al- vs. Elfin Ex rel. Horace S Johnson This argument of this cause was commenced by ell Edward

Leander of council for the Plaintiff in Error.

Christian D. Eyster } On motion
134 vs Pepper Error } of ext. W.
T and J W Gaff.- } S. Holman
leave is
hereby granted the Clerk
to issue the mandate in
the cause.-

Proclamation being made
the Court is adjourned un-
til tomorrow at twelve o'clock.-

Thursday March 16th 1876 - -

Pursuant to adjournment the Court met to day at the Capitol.

Present. - .

The Honorable Morrison R. Waite Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis Associate
Stephen J. Field Justices.
William Strong
Joseph P. Bradley
Ward Hunt.

John G. Stanley Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened -

On motion first made to the Court in this behalf by Mr. Wm. M. Morrow it is ordered that John R. Baker Esquire of Ipswich State of Massachusetts be admitted to practice as an

attorney and counsellor of the Court and he was sworn accordingly.-

On motion first made to the Court in this behalf by Col W. A. Colcock it is ordered that E. Willoughby Anderson Esquire of Washington City. District of Columbia be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.-

The Central Railroad and Banking Company vs Pfeiffer in Error
5-77 The State of Georgia
and
The Southwestern R.R. Co.
5-78 vs. Pfeiffer in Error
The State of Georgia.

The motion of Col. B. H. Hill to advance these cases was submitted to

the consideration of the Court on printed arguments in support of the cause. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

John Doe & dem Sidney Oakesmith etal vs. Pleff in Error. Horace S. Johnson

169

The argument of this cause was continued by Mr. A.G. Riddle of counsel for the defendant in Error & concluded by Mr. W.D. Mellory of counsel for the plaintiff in error.

The United States vs. Plaintiffs. John W. Storton

513.

The argument of this cause was

commenced by ex Att Genl Smith of counsel for plaintiffs, continued by ex Attorney Genl Hakeman of counsel for the defendant & concluded by ex Smith for the Plaintiff.-

James B. Pace vs. Duff in Error, Rush Burgess Adm'r. The argument of this cause was commenced by ex Charles J. Stringfellow of counsel for the Plaintiff in Error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday March 17. 1876. —

Pursuant to adjournment the
Court met to day at the Capitol -
Present

The Honorable Morrison R. Waite Chief Justice.
Nathan Clifford
Noah H. Swayne -
Samuel Miller
David Davis Associate
Stephen J. Field Justices.
William Strong
Joseph P. Bradley
Ward Hunt -

John G. Nicolay Esquire Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the
Court is opened -

On motion first made to the
Court in this behalf by Mr.
Charles F. Peck it is ordered
that Joseph McPike Esquire
of Philadelphia State of
Pennsylvania be admitted
to practice as an attorney

and counsellor of this Court, and he was sworn accordingly.-

James B Pace vs. Peffin Error. Rush Burgess Call & c

The argument of this cause was continued by the Att Atty General Smith of counsel for the defendant in Error & concluded by and W.A. Burwell of counsel for the plaintiff in Error.-

17

Stewart Grant vs. Peffin Error Jay Cooke & Co.

This cause was submitted to the consideration of the Court on the record and printed argument by and Attorney Wilson of counsel for the defendant in Error. No counsel appear-

ing for the plaintiff in Error -

172 Albert Grant vs Peffer in Error Wm S. Rhawn

This cause was submitted to the consideration of the Court on the record and printed argument by Alexander Wilson of counsel for the defendant in error. No counsel appearing for the plaintiff in Error -

173 Blakeley Wilson vs. Peffer in Error Lafayette Collins.

and

178 Blakeley Wilson vs Peffer in Error Peter Boyce -

The argument of this cause was commenced by Alex. A. Clover of counsel for the plaintiff in Error and continued by Alex. J. D. Dryden of counsel for the defendants in Error

Proclamation being made the Court is adjourned until Monday next at ten o'clock

Monday March 20th 1876—

Pursuant to adjournment the Court met to day at the Capitol—

Present

The Honorable Morrison R. Waite Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller Associate
Stephen J. Field Justices
William Strong
Joseph P. Bradley
Ward Hunt.

John G. Nicolay Esquire Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened—

William Barnes Jr. error to the
147 vs. Alfred Alffin Error to Supreme Court
The District of Columbia of the District
of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme

Court of the District of Columbia and was argued by counsel- On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the General term of the said Supreme Court in this cause be, and the same is hereby reversed with cost- And that this cause be, and the same is hereby remanded to the said Supreme Court with directions to affirm the judgment of the special term upon the verdict.-

Dissenting Mr. Justice Hunt,
Mr. Jus. Swayne
" " Field
" " Strong
" " Bradley.

137 Charles D. Maxwell vs. Peff in Error. The District of Columbia

In Error to the Supreme Court of the District of Columbia —

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court with directions to award a new trial.

Per Mr Justice Hunt

38 Frances X Daut vs Peffer Error to the Supreme Court of the District of Columbia.- In Error to the Supreme Court of the District of Columbia.-

This cause on to be heard on the transcript of the record from the Supreme Court of the District of Columbia and was argued by counsel- On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the cause is hereby reversed with costs- And that this cause be, and the same is hereby remanded to the said Supreme Court with directions to award a new trial.-

Per curiam Justice Strong

Harvey Jerry
166 vs Peffin Error
Emily A. Tubman

In error to the Circuit Court of the United States for the Southern District of Georgia.-

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Georgia, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.-

Mr. Justice Hunt.-

Samuel M. Burbank Tutor of the Heirs of Thomas J. Burbank deceased - vs Appellants Edmond B. Bigelow, W. W. Bigelow & S. B. Packard and Geo. W. McDougal (Assignee in bankruptcy of E. B. Bigelow.

Appeal from the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and

the cause is hereby remanded to the said Circuit Court with directions to proceed therein in conformity to law.

Per curiam Justice Bradley

Lloyd Clark Gaines Jr. Error to the
104 vs. Supreme Court of
Joseph Finnies et al the State of Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby reversed

with costs.- And it is ordered that this cause be, and the same is hereby remanded to the said Supreme Court with directions to reverse the judgment of the Second District Court for the Parish of Orleans, and to direct a transfer of the cause from that Court to the Circuit Court of the United States for the District of Louisiana pursuant to the application of the appellants.-

Dissenting per curiam Justice Field
Mr Justice Bradley
" " Swayne
" Ch Justice Waite

Elon Farnsworth, and
Edward P Bowles.-
184 vs. Appellants,
The Minnesota & Pacific
R.R. Co. The St Paul and
Pacific R.R. Co. The 1st
division of the St Paul
& Pacific R.R. Co. The
Stillwater & St Paul R.R. Co.
The Northern Pacific R.
R. Co et al.-

Appeal
from
the Cir-
cuit Court
of the
United
States
for the
District
of
Minnesota.

This cause came on to be
heard on the transcript of
the record from the Circuit
Court of the United States
for the District of Minnesota
and was argued by counsel.
On consideration whereof it
is now here ordered ad-
judged and decreed by this
Court that the decree of
the said Circuit Court in
this cause be, and the same

is hereby affirmed with costs.
per Mr Justice Field.

Chy Lung.
478 vs. Peffix error.
J. S. Freeman, R. K. Piotrowski, Commissioner of Immigration and William Mc Kibben, Sheriff of the City and County of San Francisco. Cab-

In error to the Supreme Court of the State of California.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by counsel. On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby

remanded to the said Supreme Court with instructions to enter an order discharging the Prisoner from custody.-

Per Mr Justice Miller-

The Commissioners of Immigration vs The North German Lloyd.-

633

Appeal from the Circuit Court of the United States for the District of Louisiana

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana and was argued by counsel- On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs. Per Mr Justice Miller

John D Henderson and Thomas Henderson vs. Appellants — Wm H. Wickham Mayor of the City of New York, and the Commissioners of Emigration. — Appeal from the Circuit Court of the United States for the Southern District of New York-

880

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel- On consideration whereof it is now here ordered adjudged and decreed by this Court That the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs, and that this cause be, and the same is hereby remanded to the said Circuit

Court with directions to enter a decree for an injunction in conformity with the opinion of this Court-

Per all Justice Miller-

Henrietta Hoffman. Appeal
148 vs. Appellant- from
The John Hancock the Cir-
Mutual Life Insurance cuit Court
Company.- of the
United
States for the Northern Dis-
trick of Ohio.-

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the

said Circuit Court in this cause be, and the same is hereby affirmed with costs.-
Per Mr. Justice Swayne.-

John W. Morrish
Michael F. Maclaneteb
vs. Appellants
162 The First National Bank of Washington.

Appeal from the Supreme Court of the District of Columbia

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel.— On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby reversed and the said Supreme Court

with directions to overrule the exceptions to the Auditors report and to enter a decree in conformity with the opinion of this Court. -

Per curiam Justice Swayne

Chester A. Arthur Collector of the Port of New York. vs. James P. Cumming. Edward S. Sweat. Alexander Rhind. and E. W. Fiske. -

834. In error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that

the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of New York.-

Present Justice Swayne.-

The Board of County Commissioners of the County of Laramie.-
153 vs Appellants
The Board of County Commissioners of the County of Albany, and the Board of County Commissioners of the County of Carbon.-

Appeal from the Supreme Court of the Territory of Wyoming.-

This cause came on to be heard on the transcript of the record from the Supreme

Court of the Territory of Wyoming and was argued by counsel- On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.-

Per Curiam Justice Clifford.-

John N Hall, J. J Thorn- vs Lucius Dyer, William Reid, Doctor Ransom Brooks, Ephraim Cale, Ernest Frederick Braib, Henry Humphrey et ab vs Peffer in Error The United States.-

In error to the Circuit Court of the United States for the District of Minnesota.-

155

This cause came on to be

heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed. Per curiam Justice Clifford.

John M. Hall & James J. Thornton, A. F. Hawley, J. B. Russell, Philip Elliott, J. R. Pinckham, Wm. Reed, D. N. Tynes, M. J. C. Flower and C. T. Wilson — for Plff in Error

vs.

Jeffries — Error to the Circuit Court of the United States for the District of Minnesota.

The United States.

This cause came on to be heard on the transcript of

the record from the Circuit Court of the United States for the District of Minnesota and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed-

per curiam Justice Clifford-

A.G. Angle
85.7 as appellant;
The Northwestern
Mutual Life
Insurance Co.-

Appeal from
the Circuit
Court of the
United States
for the
District of
Iowa-

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States

for the District of Docod, and was argued by council- On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs- And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to enter a decree in favor of the complainant.- per curr Justice Clifford-

Henry S. Blease
vs
Robert C. Garlington

149

Appeal from the Circuit Court of the United States for the District of South Carolina

This cause came on to be heard on the transcript of the record from the Circuit

Court of the United States for the District of South Carolina and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that decree bears in the Courts of the State of South Carolina.-

per curiam Chf. Jus. Waite.-

171 Mount Grant, vs. Pelf in Error. Jay Cooke, Wm. G. Moorhead, Henry D. Cooke, A. B. Talmestock, George B. Thomas, Pitt Cooke, Jay Cooke Jr. & Jas A. Garland, partners as Jay Cooke & Company.-

In Error to the Supreme Court of the District of Columbia

This cause came on to be heard

on the transcript of the record from the Supreme Court of the District of Columbia. and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the District of Columbia -

Albert Grant vs. Wm. S. Peffer & Wm. S. R. Lacon. In error to the Supreme Court of the District of Columbia

172

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Colum

bia and was argued by counsel- On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be. and the same is hereby affirmed with costs and interest until paid at the rate rate per annum that similar judgments bear in the Courts of the District of Columbia.-

per Clk Chf. Jus Waite.

576 David F. Barney vs The Steamboat D. R. Martin her tackle &c. The Oyster Bay & Huntington Steam boat Company. Appeal from the Circuit Court of the United States for the Eastern District of New York

This cause came on to be heard

on the transcript of the record from the Circuit Court of the United States for the Eastern District of New York, and on the motion of Mr Thomas Young to dismiss, which was argued by counsel - On consideration whereof it is now here ordered adjudged and decreed by this Court that this appeal be, and the same is hereby dismissed with costs.

Per Mr Chf Justice Waite

508 Peter B. Storey vs Orrin Orrick Samuel B and John Storey Exrs. and

509 Peter B. Storey vs Orrin Orrick Samuel B. and John Storey Exrs.

On consideration of the motion of Mr Matt. St. Carpenter to dismiss or advance these cases, and of the argument of counsel there-

upon said as well in support of, as against the cause it is now here ordered by the Court that said motion be, and the same is hereby denied.

per Mr. Chief Justice Waite.

Horatio N. Spencer vs. The United States. } Appeal from the Court of Claims.

168

Mr Chief Justice Waite.

Rule 1. In reference to appeals to this Court from the Court of Claims provides that no case shall be heard here on such an appeal except upon a record containing among other things "a finding by the Court of Claims of the facts of the case established by the evidence in the nature of a special verdict."

The finding certified herewith this record does not show.
1st Whether the cotton, which is the subject of the action, was received or collected by any agent specially appointed by the Secretary of the Treasury for that purpose, as captured and abandoned property under any act of Congress providing therefor, or
2nd " Whether if so received or collected it was sold as such and the proceeds paid to any agent of the United States, whose duty it was to accept and transmit the same to the Treasury of the United States.—
A determination of these questions of fact may be material to the judgment in the case, and therein the record is remanded to the Court of Claims for a further finding

thereon to be certified and returned to this Court with the record-

The State of Louisiana ex rel J. L. McCauley vs Pelfis Ex off. & Charles Clinton Sheriff.

684

On consideration of the motion to dismiss this cause and of the argument of counsel thereupon had as well in support of, as against the same, it is now here ordered by the Court that said motion be, and the same is hereby denied.-

Peter Hy Jas Waite

Gustavus Berger vs Pelfis Ex off. & Angelina Palethorp trustee &c.

926

The motion to dismiss this cause now submitted to the consideration of the Court on printed arguments by Messrs Robert Palethorp

in support of the same, and by Mr S. Gormley and Mr R. S Price in opposition thereto.-

Wm W. Lochrop Assignee &c. vs. Daniel Drake Executor &c. appellant. 135.

On motion of Mr D. C. Stanton Leave is hereby granted the Clerk to issue the mandate in this cause.-

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.-

Tuesday March 21st 1876.--

Pursuant to adjournment the Court met to day at the Capitol

Present

The Honorable Morrison R Waite Chief Justice

Nathan Clifford
Noah H Swayne
Samuel F Miller
David Davis
Stephen J Field
William Strong
Joseph P Bradley
Ward Hunt-

Associate Justices

John G Nicolay Esquire Marshal
Daniel Wesley Middleton Clerk

On motion first made to the Court in this behalf by Mr Matt H Carpenter it is ordered that W E L Dillaway Esquire of Boston State of Massachusetts be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Geo. W. Paschal, it is ordered that James. M. Burroughs Esqr of Galveston State of Texas be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.-

On motion first made to the court in this behalf by Mr Asst Atty General Smith it is ordered that Russell A. Cowell Esqr of Boston State of Massachusetts be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.-

830 Wm J. De Treville vs. Peffer in Error. Robert Smalls

Mr James Lowndes having suggested to the Court that the plaintiff in Error

was prepared to file the record and have his cause docketed pursuant to the rules of this Court. moved the Court to rescind and annul the order entered on the 8th of November last docketing and dismissing this writ of Error. Whereupon it is now here ordered by this Court. that the order of the 8th of November last docketing and dismissing this writ of Error be and the same is hereby rescinded and annulled. And that the Plaintiff in Error have leave to file his cause and have the same docketed in conformity to the rules of this Court upon payment of costs.-

Per curiam Chf Jus. Waite.-

William Godfrey et ab } Mr Lowndes
657 vs Appellants - } moved the
Harvey Perry - } Court to
advance
this cause to be argued with
No 216. when the calles is
reached in the regular call
and also be allowed the
time of two causes in the
argument of the cause which
was opposed by Mr Perry -
Whereupon this Court not
being now here sufficiently
advised of and concerning
what order to render in
the premises took time to
consider -

The Union Pacific } On motion
R R Co } of Mr Geo
584 vs Peffer Exor } W. McGary
Jamb E. Hall } leave is
J. W. Morse. - } hereby
granted the
Clerk to issue the mandate in this cause -

Harvey Perry. On motion of
224 vs Appellant ~~and~~ Perry
The Bank of to complete
Commerce- the record
in this cause
was submitted to the consider-
ation of the Court. Whereupon
this Court not being now
here sufficiently advised of,
and concerning what order
to render in the premises
took time to consider-

The Western Union On motion
Telegraph Company of Pelt Davis
118 vs Pelt in Error leave is
Charles Eyster hereby granted
the Clerk
to issue the mandate in this
cause.-

Henry N. Raymond On motion
146 vs. Pelt in Error of Wm M
William M. Thomas W. Boyce
leave is

hereby granted the clerk to issue the mandate in this cause.-

The Mayor & Aldermen of the City of Memphis- vs Appellants.- Marmaduke C. Enomeyer et ab.- 871

Mr. Boyce moved the Court to rescind and annul the order entered on the 13th December last, docketing and dismissing this appeal and for leave to file the record & have the cause docketed. Whereupon it is now here ordered by the Court that said motion be, and the same is hereby denied.-

S. P. Boyce.- vs Pliff in Error The 1st National Bank of New York 389

In error to the Circuit Court of the United States for the Western District of

Tuesday March 21st 1876 continued.-

Pennsylvania.-

This cause coming on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Pennsylvania, and on the stipulation on file and motion of Mr E.L. Stanton in behalf of counsel. it is now here ordered and adjudged by this Court that the writ of Error in this cause be, and the same is hereby dismissed with costs.

Per curiam Chf Jus. Waite

J.P. Bayer. vs. Peffer et Error
389. The 1st National Bank of New York.

On motion of Mr E.L. Stanton leave is here by granted the Clerk to issue the mandate in this cause.-

Tuesday March 21st 1876 continued-

The State of Florida 3 orgs vs Complainant E. C. Anderson Jr et ab

On motion of Sol Bisney leave is hereby granted him to file petition of complainant for payment of legal costs and charges including counsel fees in this cause.

The State of Florida 3 orgs vs Complainant E. C. Anderson Jr et ab

On motion of Col Carpenter it is ordered that the hearing of all motions and petitions in this cause be further postponed until Monday next the 27th instant-

The State of Florida 3 orgs vs Complainant E. C. Anderson Jr et ab

On motion of Sol Boyce leave is hereby granted him to file affidavits in this cause

Tuesday March 21st 1876 continued-

The State of Florida ex rel. vs Complainant
E. C. Anderson & et al

On motion of Asst Att'y Genl Carpenter is hereby granted time to file affidavits in this cause.—

908 The United States - appts vs Jno. B. Raymond. and &c
911 " " " " Thomas Kidd
912 " " " " J. J. Conway admrs
913 " " " " J. B. Bratton
914 " " " " Charlotte Hearn
915 " " " " E. K. & M. C. Lean.
916 " " " " J. Rees Cook.
918 " " " " Geo Hawkins
919 " " " " J. J. Conway admrs

The motion of asst Jno Carey to remand these cases to the Court of Claims for specific findings, was argued by him in support of the same, and by Asst Att'y Genl Simons in opposition thereto - Whereupon this Court not being

now here sufficiently advised of, and concerning what order to render in the premises took time to consider -

921 The United States appls vs. Robert G. Johnson
922 . . . . . Wm. D. Smith
924 . . . . . Hannah Bodenheimer & co
917 . . . . . Ellen D. Batchelor

The motion of Messrs Bailey & Jenner to remand these causes to the Court of Claims for specific findings was argued by Mr Jenner in support of the same, and by Mr Attorney Genl Simons in opposition thereto - Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

Tuesday March 30 1875 continued.-

The United States
908 vs. Appellant
John B. Raymond
Assignee &c.-

The motion of Messrs Jenner & Foote to remand this cause to the Court of Claims for special finding, was argued by Mr Jenner in support of the same, and by Chester Ashley Bond Simons in opposition thereto- Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider-

Tuesday March 21st 1876 continued

908	The United States	appts	vs	Jno B Raymond Esq	rec'r
911	"	"	"	Thomas Kidd	
912	"	"	"	J. J. Cowan, Admr	
913	"	"	"	J B. Brabston	
914	"	"	"	Charlotte Head	
915	"	"	"	E K. McLean	
916	"	"	"	J Reese Cook	
917	"	"	"	E D. Batchelor	
918	"	"	"	George Hawkins	
919	"	"	"	J. J. Cowan Admr	
921	"	"	"	Robert G Johnson	
922	"	"	"	Wm D Smith	
924	"	"	"	Hannah Bolenbaum Extx	

The motion of Asst Atty Gen'l Brinton to remand these cases to the Court of Claims for additional & specific findings was submitted to the consideration of the Court by him in support of the same.—

Tuesday March 21st 1876. continued

Marshall O Roberts et al &c
surviving trustees &c
539 vs Appellants
The United States.

Assistant
Attorney
General
Smith

moved the Court to recall
the mandate issued in this
cause which was opposed
by &c Thomas Wilcox—
Whereupon this Court not being
now here sufficiently advised
of, and concerning what order
to render in the premises
took time to consider—

Blakeley Wilcox
173 vs. Plff in Error
Lafayette &c Cobb
and
Blakeley Wilcox
178 vs. Plff in Error
Peter Bryce.

The argument
of these
causes was
concluded
by &c
Isaac Scott
of counsel
for the
Plaintiffs in Error—

Tuesday March 21st 1876 continued-

The State of La. ex rel J. L. McCauley — vs. Appellant — Chas Clinton et ab. — On motion of Mr Lipscomb it is ordered that the argument of this cause be postponed until Monday next.-

338

J. B. Harrison — vs. Sheriff ex Orrok — E. D. Meyendorff vs. — This cause was submitted to the consideration of the court on the record and printed arguments of Mr D. C. Labatt of counsel for the plaintiff in error, and by Messrs Durant & Fenner for the deft in error.-

174

Warren Hall
175 vs. Appellant
The United States

and

The United States
182 vs Appellants
Margaret Roach Extrx

The argument of these cases was commenced by Mr. G F Peck of counsel for the appellant in No 175. continued by Mr. T. H. McPherson of counsel for the appellee in No. 182. & concluded by Mr Peck for the appellant in No 175- and submitted on printed argument by Mr Asst Atty General Smith of counsel for the appellee in No 175. -

The United States
176 vs Appellant.-
Eugene Dickelman.

The argument of this cause was commenced by Mr Asst Attorney General Smith of counsel for the Appellant, & continued by Mr J. D. McPherson for the appellee.-

Proclamation being made the Court is adjourned until to-morrow at ten o'clock-

Wednesday March 22d 1876.-

Pursuant to adjournment the
Court met to day at the Capitol -
Present
The Honorable Morrison R Waite Chief Justice -
Nathan Clifford
Noah H Swayne.
Samuel F Miller
David Davis Associate
Stephen J Field Justices.
William Strong
Joseph P Bradley
Ward Hunt.
John G. Nicolay Esquire Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the
Court is opened.-

On motion first made to the
Court in this behalf by Mr
B. F Butler it is ordered
that Charles C. Dame Esquire
of Newburyport State of Mass-
achusetts be admitted to prac-
tice as an attorney and coun-

sellor of this Court and he was sworn accordingly.-

On motion first made to the Court in this behalf by Asst Atty Genl Smith it is ordered that George J. Sicard Esquire of Buffalo. State of New York be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.-

On motion first made to the Court in this behalf by Gen E. C. Palmer it is ordered that James M. Davidson Esquire of Saint Paul State of Minnesota be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.-

908 The United States Applts Jno C Raymond Asignee
911 " " " " Thomas Kidd
912 " " " " J.J. Corcoran Admr &c
913 " " " " J B. Brabston
914 " " " " Charlotte Speak
915 " " " " E.K. McLean
916 " " " " J Reese Cook
917 " " " " E.D. Batchelor
918 " " " " Geo Hawkins
919 " " " " J.J Corcoran Admr &c
921 " " " " Robert G. Johnson
922 " " " " Wm F Smith
924 " " " " Hannah Bodenham Extx

Mr Joseph Casey by leave of the Court filed and submitted to the consideration of the Court exceptions to the motion filed by the Asst Attiy Genl Simons for additional and specific findings in these cases.—

Mathias Perkins vs Appellants John W Phillips and Wellington Phillips

Mr. J H Ashton presented the certificate of the Clerk and moved the Court under the 9th rule to have this appeal from the Circuit Court of the United States for the Northern District of Illinois docketed and dismissed. Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

176

The United States vs Appellants Eugene Dickdman.

The argument of this cause was continued by Mr. J. D. Mc Pherson of counsel for the appellee and concluded by Mr. Asst Atty Gen'l Smith

Wednesday March 22d 1876 continued.-

for the appellant.-

6 Joseph A. Wacker vs Jeff in Error. Charles S. Sawyer — This cause was argued by Mr C. W. Horner of counsel for the plaintiff in error, and submitted by printed argument by Mr J. D. A. Fellows of counsel for the defendant in Error.-

177 The United States vs Appellant John Landers — This cause was submitted to the consideration of the Court on the record and printed argument by Mr Asst Atty Genl Smith of counsel for the Appellant and by Messrs Durant and Horner for the appellee.-

Wednesday March 22nd 1876 continued

The New Jersey Cases or intended to be called the "Maggio Cases" &c.-
179 vs Peffer Error
Wm M Shakespeare

This cause was argued by Col J. N. Pattison of counsel for the Plaintiff in error - The court declined to hear argument for the defendant in error -

Henry & Geo A Mayer
183 vs Peffer in Error
Lebester A. Arthur Cases &c.

This cause was argued by Col Edward Stanley of counsel for the Plaintiff in error and by Col Asst Atty General Smith for the defendant in Error

Jno Montgomery Jr Assee -
184 vs Peffer Error
Buckeye Machine Works

This cause was submitted on the

record and printed arguments by Mr Jas Baker of counsel for Plff in Error & and by Messrs Bartley & Jenner for defts in Error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday March 23d 1876.-

Pursuant to adjournment the Court met to day at the Capitol-

Present.-

The Honorable Morrison R. Waite Chief Justice

Nathan Clifford
Noah H Swayne
Samuel Miller
David Davis
Stephen J Field
William Strong
Joseph P Bradley
Ward Hunt-

John G. Nicolay Esquire Marshal
Daniel Kelley Middleton Clerk

Proclamation being made the Court is opened-

On motion first made to the Court in this behalf by Hon Thomas F Bayard it is ordered that Joseph B. Batchelor Esquire of Raleigh State of North Carolina be admitted

to practice as an attorney and counsellor of this Court and he was sworn accordingly.-

On motion first made to the Court in this behalf by Mr David Dudley Field it is ordered that A. P. Sprague Esquire of Troy State of New York be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.-

On motion first made to the Court in this behalf by Mr Joseph Carey it is ordered that Augustus Ford Esquire of New York City be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.-

John Wilson et ab
vs Appellants
The Cairo & Fulton
Railroad Company.

Ellis M. Fellows
suggested the
death of John
Wilson one
of the appel-
lants in this cause, & moved
the Court for leave to Enter
the appearance of Edward
Hartley Wilson, and Samuel
V. Niles Execrs of the said John
Wilson deceased as parties
appellant in this cause.
Whereupon it is now here
ordered by the Court that
the said Edward Hartley Wilson
& Samuel V. Niles Execrs of the
said John Wilson deceased
as aforesaid be entered as
parties appellant to this
cause in place of the
said deceased, with liberty
to prosecute this appeal—

Henry Miller et ab
185 vs Pfff ex error
George N Dale et ab

This cause was argued by Gen'l S.O Houghton of counsel for the plaintiffs in error, and by Gen'l J.S. Black for the defendants in error. –

The Steamship Co. of Washington
181 vs Appellants
Peter R. Baillie et ab

This cause was argued by Gen'l Jas. N Gerard of counsel for the appellants and by Mr. J. Scudder for the appellees

Proclamation being made the Court is adjourned until tomorrow at ten o'clock –

Friday March 24th 1876.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Morrison R Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis Associate
Stephen J. Field Justices.
William Strong
Joseph P. Bradley
Ward Hunt.

John G. Nicolay Esquire Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by the Hon Attorney General Smith it is ordered that William G. Choate Esquire of New York City State of New York be admitted

to practice as an attorney and counsellor of this Court and he was sworn accordingly.-

Robert B. Billing vs. Pelf in Error. Gustavus Leverett

658

On motion of Col. J.R. Tucker leave is hereby granted the clerk to issue the mandate in this cause.-

Robert A. Phillips vs Pfeiffer Error. Charles W. Payne.

186

The argument of this cause was commenced by Col. W. Willoughby of counsel for the plaintiff in error and continued by Col. R.T. Daniel of counsel for the defendant in error. Further argument of this cause postponed until Monday next.-

Friday March 2nd 1870 continued-

187 The Steam Ship Hammonia &c. vs. Appellants Wm Sores & Jno. Waters — Ordered by the Court that the cause be, and the same is hereby Passed for the present-

188 John P. Verre et ab vs Pltffs in Error J.M. Brown et ab — Ordered by the Court That this cause be, and the same is hereby continued until the next term

189 Joseph Stabers et ab vs Pltffs in Error Daniel W Lord. — The argument of this cause was commenced by Col W.G. Choate of counsel for the Plaintiffs in Error-

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock-

Monday March 27th 1876.-

Pursuant to adjournment the Court met to day at the Capitol.-

Present

The Honorable Morrison R. Waite Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt-

John G Nicolay Esquire Marshal
Daniel Wesley Middleton Clerk-

Proclamation being made the Court is opened-

On motion first made to the Court in this behalf by Hon. Montgomery Blair it is ordered that Albert F. Foster Esquire of Macon City State of Missouri be admitted

to practice as an attorney and counsellor of this Court and he was sworn accordingly.-

Mary R. Kohl Jno N. Kohl, Exrs of John S. Kohl deceased-Mrs W. A. Steyer & W. N. Steyer her husband Edw'd A. Kohl, L. N. Kohl & Ida P. Kohl.-
144 vs. Pltffs in Error
The United States.-

In error to the Circuit Court of the United States for the Southern District of Ohio.-

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and was argued by counsel.- On consideration whereof it is now here ordered-

ed and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed Dissenting per Mr Jus Strong Mr Jus: Field.

825 The Davis of Colorado vs. Peffer in Error. David N Eaves. In error to the Circuit Court of the United States for the Northern District of Illinois.-

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel.- On consideration whereof it is now here ordered and adjudged by this Court That the judg-

ment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.—

Dissenting per curiam Jus. Strong
" " Justice Clifford
" " Davis
" " Field.

The Trust of Texas Jr. Error vs. Peffer in error, to the Evander Chumasock Circuit Court of the United States for the Northern District of New York.—

This cause came on to be heard on the transcript of the record from the

Circuit Court of the United States for the Northern District of New York, and was argued by counsel, On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the courts of the State of New York.—

The Bank of Genesee In error
vs. Error to the Circuit
James C. Woodruff Court of the
and David Macaulay United States
for the
Northern District of New York.

This cause came on to

bo heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of New York. —

Dissenting Chief Justice Strong
Mr Justice Miller
" " Davis.
" " Field.

Monday March 27th 1876 continued-

55 The Town of Venice vs Peffix error James O. Woodruff & Daniel Macauley. In error to the Circuit Court of the United States for the Northern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York, and was argued by counsel- On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest to be paid at the same rate per annum that similar judgments bear in the Courts of the State

of New York -
Dissenting Opn Mr. Jus. Strong
Mr Jus Miller
" " Davis.
" " Field

The Town of Venice. In error
vs. on Petition of error to the Cir-
William L. Walker cuit Court
of the United
States for the Northern
District of New York. -

This cause came on to be
heard on the transcript of
the record from the Circuit
Court of the United States for
the Northern District of
New York and was argued
by counsel. On consideration
whereof it is now here ordered
and adjudged by this Court
that the judgment of the
said Circuit Court in this
cause be, and the same

is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of New York.-

Dissenting Opinion Mr Justice Strong.
Mr Justices
" Davis
" Field

90 The Town of Venice vs Peffin et al. Appeal to the Circuit Court of the United States for the Northern District of New York.-

Error to the Circuit Court of the United States for the Northern District of New York.-

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York. and was argued by counsel- On consideration

whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest at the rate of six per annum that similar judgments exist in the Courts of the State of New York-

Dissenting. per curiam Jno. Strong. Jno Miller
Davis
Field

60 Wm A Cheatham and Adalicia Cheatham his wife vs Pleff in error
William H Duggan Administrator of Henry L. Stowell dec'd collr of Internal Revenue.

In error to the Circuit Court of the United States for the Middle District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Middle District of Tennessee, and was argued by counsel- On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.- per curiam Mr Justice Miller

573 The United States Vs Plaintiffs.- No a certificate of John W. Stanton- division in opinion between the Judges of the Circuit Court of the United States for the Southern District of New York.-

This cause came on to be

heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and on the point or question on which the Judges of the said Circuit Court were opposed in opinion & which was certified to this Court for its opinion agreeably to the act of Congress in such case made and provided and was argued by counsel. On consideration whereof it is the opinion of this Court that the indictment against Norton charges offences for which under the limitation provided in the thirty second section of the act of Congress approved April 30. 1790. entitled "an act for the punishment of certain crimes against the United States" the defendant cannot be prosecuted tried or

punished unless the indictment shall have been found within two years from the time of the committing offences - And that the indictment is not for crimes arising under the revenue laws, within the intent and meaning of the third section of the act approved March 26 1804. entitled. "An act in addition to the acts entitled and act for the punishment of certain crimes against the United States: Whereupon it is now here ordered and adjudged by this Court that it be so certified to the said Circuit Court. -

Per curiam. Justices Swayne.

145 The United States. vs Peffish Error to the Circuit Court of the Northern District of Illinois. Matthew Fowler

In error to the Circuit Court of the United States

for the District of Kentucky.-

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky, and was argued by counsel- On consideration whereof it is now here ordered and adjudged by this Court That the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed.-

Dissenting Mr Chief Jus. Waite.
Mr Jus. Hunt-

339. The United States
vs. Plff in error.
Wm S. Cruikshank, in-
dicted & impleaded as
Wm Cruikshank Wm D.
Irvin indicted and
impleaded as W. B.
Irvin & John P.
Sadnot indicted &
impleaded as J. P.
Sadnot —

In error
to the
Circuit
Court of
the United
States for
the District
of Louisiana

This cause came on to be
heard on the transcript of
the record from the Circuit
Court of the United States
for the District of Louisiana,
and was argued by counsel.
On consideration whereof
it is now here ordered and
adjudged by this Court that
the judgment of the said
Circuit Court in this cause
be, and the same is hereby
affirmed.

And it is further ordered and adjudged that this cause be, and the same is hereby remanded to the said Circuit Court with instructions to discharge the defendants.-

Chief Jus: Waite

The New Schooner called, or intended to be called. The Maggie Bain' v William Fisher & v James H. Fisher & trading under the name style of Wm Fisher & Son owners & reputed owners and Andrew Scull Master 179 vs. Peffer in error & William McShakespeare.-

In error to the Supreme Court of the State of Pennsylvania.-

This cause came on to be heard on the transcript of the record from the Supreme

Court of the State of Pennsylvania and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs. -

per curiam Chf Jus: Waite.

926 Gustavus Bergner & Peff in Error vs. Angelina Palethorp trustee of the Estate of John H. Palethorp deceased } In error to the Supreme Court of the State of Pennsylvania. -

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Pennsylvania and on the motion

of Mr. Robert Talcott to dismiss which was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court. That the writ of Error in this cause be and the same is hereby dismissed for the want of jurisdiction

Opn Mr. Ch. Jus. Waite.

(151. Mc Godfrey et al. vs. Harvey Gerry. Appellants

On consideration of the motion of Mr. Lowndes to advance this cause for argument with No. 215, when the latter is reached and for the time allowed, the Court it is now here ordered by the Court that said motion be and the same is hereby denied but leave is hereby granted Counsel in this cause to file printed arguments in No. 216.

Opn Mr. Ch. Jus. Waite

Harvey Ferry
224 vs Appellant
The Bank of Commerce

On consideration of the motion for an order on the Clerk of the Circuit Court to require him to complete the record in this cause &c and the argument of counsel thereupon had it is now hereby ordered by the court that said motion be, and the same is hereby denied.

Per Mr. Ch. Jus. Waite

The Miss & Me. R. R. Co. and Muscatine County
51. vs Appellants
Charles F. Crommelin

On motion of Mr. R. P. Lowe leave is hereby granted the Clerk to issue the mandate in this cause.

Edwin P. Monroe
115 vs Appellant,
The Dover Stamping Company

Appeal from the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard

on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts and on the stipulation on file, and motion of Mr. P. Phillips in behalf of Counsel it is now here ordered adjudged and decreed by this Court that this appeal be and the same is hereby dismissed each party paying their own costs.

Per Mr. C. J. Waite

J. L. L. M. Call
vs. Pltffs in Error
J. W. Dewess, E. McCalley, John Moring & Nash Spencer

In Error to the Circuit Court of the United States for the Western District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Texas, and on the motion of Mr. P. Phillips of Counsel for the defendants in Error stating that the matters in

controversy in this cause have been agreed and settled between the parties it is now here ordered and adjudged by this court that the writ of Error in this cause be and the same is hereby dismissed with costs.

Per M. Ch. Justice Waite

John H. Butterfield
75 vs. Appellant
George Abbot

On motion of Mr. Carpenter leave is hereby granted the Clerk to issue the mandate in this cause.

Wm. Barnes
117 vs. Plffin Error
The District of Columbia

On motion of Mr. Carpenter leave is hereby granted the Clerk to issue the mandate in this cause.

John H. Mersell et al
162 vs. Appellant
The 1st National Bank of Washington

On motion of Mr. Carpenter leave is hereby granted the Clerk to issue the

mandate in this cause

The State of Louisiana Ex Rel J. L. McCauley Respondent and Charles Clinton et al	On motion of Mr. Carpenter it is ordered that the argument of this cause be further postponed until Monday next the third of April.

338 O

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday March 28th 1876.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R Waite Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P Bradley
Ward Hunt
} Associate Justices.

John G. Nicolay Esquire Marshal,
David Wesley Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr E. C. Palmer it is ordered that James Gilfillan Esquire of St Paul State of

Tuesday, March 28th 1876 Continued

Minnesota be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

908	The United States, Appellee	vs. Jacob Kaymond & Cosignee
911	" " " "	Thomas Kidd.
912	" " " "	J. J. Cowan, Admr.
913	" " " "	J. B. Bradston.
914	" " " "	Charlotte Spear.
915	" " " "	E. K. McLean.
916	" " " "	J. Rose Cook.
917	" " " "	E. D. Batchelor
918	" " " "	Geo. Hawkins
919	" " " "	J. J. Cowan Admr &c
921	" " " "	Robert G. Johnson
923	" " " "	Wm F. Smith
924	" " " "	Samuel Bodenheim Exec

Appeals from the Court of Claims.

On consideration of the motion of counsel for the appellee it is ordered and directed that the several records in the above named cases

be remanded to the Court of Claims with directions to said Court to certify in each of said Cases to wit:
1st Whether the cotton owned by the respective claimants and seized from them by the United States, did or did not constitute a part of the cotton delivered to and received by the Treasury agent of the United States at Vicksburg Miss, during the years 1863 and 1864 and whether or not the same was there intermingled with other cotton belonging to other persons so, as to destroy the identity of the several lots, belonging to the various persons from whom the same had been seized.
2nd Whether the proceeds of the sales of the various lots of cotton owned by and seized from the respective Appellees in these Cases, do or do not constitute a part of the fund found to be in the Treasury of the United States accruing from the sales of the said intermingled

mass of cotton so shipped from Vicksburg, Miss, during said years 1863 and 1864, and which was sold at Cincinnati and St. Louis for and on behalf of the United States.

And that the said Court of Claims make due return in the premises.

Pres Mr. Chf. Jus. Waite.

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908 The U. S. Appts	vs.	J. B. Hagan & Ass'ees
" " "		Thos. Kidd
" " "		J. J. Cowan Admr.
" " "		J. B. Bradston
" " "		Charlotte Jewett
" " "		E. K. McElwee
" " "		Ross Cook,
" " "		E. D. Batchelor
" " "		Geo. Hawkins
" " "		J. J. Cowan Admr.
" " "		Robert G. Johnston
" " "		Wm. F. Smith
" " "		H. Bodenheimer & Co

On consideration of the motion of Mr. Asst. Atty. Gen'l Simons of Counsel for the Appts to remand these cases to the Court of Claims for additional and specific findings, it is now here ordered by the Court

that said motion be & the same is hereby denied.

The State of Florida
3 Orig. vs. Complainant.
E. C. Anderson jr. et al.

The argument of the motion to discharge the Receiver in this cause was commenced by Mr. Bisbee in support of the same, continued by Mr. N. H. Carpenter of counsel for defendants in opposition to the motion to discharge the Receiver, and in support of the motion to continue the Receiver.

The State of Florida
3 Orig. vs. Complainant
E. C. Anderson jr. et al.

The petition of E. C. Anderson jr. et al for further directions under the decree in this cause was argued by Hon. W. W. Boyce in support of the same.

The State of Florida
3 Orig. vs. Complainant
E. C. Anderson jr. et al.

The petition of the Jacksonville Insurance Co

Mobile Railroad Company to intervene in this cause were into case and was argued by Mr. W. S. H. Davis in support of the same, and by Mr. D. P. Holland in opposition thereto, and concluded by Mr. Bisbee in support of his motion to discharge the Receiver, and in opposition to all other motions.—

The State of Florida
3 Orig. vs. Complainant.
E. C. Anderson et. Al.

The petition for payment of legal costs & charges was argued by Mr. H^m Birney in support of the petition and by Mr. Holland in opposition thereto.

The State of Florida
3 Orig. vs. Complainant
E. C. Anderson et. Al

On motion of Mr. Birney leave is hereby granted time to file additional items of account

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189	Joseph Hobson et al vs Pliffs in Error Daniel N. Lord.	The argument of this cause was continued by Mr. C. B. Smith of counsel for the defendant in error.

Proclamation being made the court is adjourned until tomorrow at twelve o'clock.

Wednesday March 29. 1876.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
Associate Justices

John G. Nicolay Esquire, Marshal
Daniel H. Gray Middleton, Clerk

Proclamation being made the Court is opened.

Joseph Hobson et al
vs. In Error
Daniel McLord

The argument of this cause was continued by Mr. E. B. Smith of counsel for the defendant in Error & concluded by Mr. C. G. Duate of counsel for the plaintiff in error.

186 Robert A. Phillips vs. Pfff in Error Charles M. Payne

The argument of this cause was concluded by Mr. S. Shellabarger of counsel for the plaintiff in Error.

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190 Selah Chamberlain vs. Appellant The St Paul & Sioux City R. R. Co.

On the application of counsel it is ordered that one hour and twenty minutes additional time be allowed in the argument of this cause.

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190 Selah Chamberlain vs. Appellant. The St. Paul and Sioux City R. R. Co.

The argument of this cause was commenced by Mr. Gordon E. Cole of counsel for the appellant.

Proclamation being made the Court, is adjourned until tomorrow, at twelve o'clock.

Thursday, March 30th 1876.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices.

John G. Nicolay Esquire Marshal
David Wesley Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. James Lowndes it is ordered that Samuel Lord junior, and Ch. Richardson Miles Esquires, of Charleston State of South Carolina be admitted to practice as Attorneys and Counsellors of this Court and they were sworn accordingly

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Gustavus Bergner
926 vs Pfff in Error,
Angelina Palethorp Exec'x
of the Estate of Joshua W.
Palethorp, decd,

On motion of
Mr. Robert Ball
Writ of Error is
hereby granted
the Clerk to
issue the mandate in this cause.

Selah Chamberlain
190 vs Appellant
The St. Paul and Sioux
City Railroad Co. -

The argument
of this cause
was continued
by Mr. Gordon
E. Cole of
Counsel for the appellant, by Mr. C. C.
Palmer and Mr. James Bispham of
Counsel for the appellees and concluded
by Mr. Evarts of Counsel for the appellant.

Proclamation being made the Court
is adjourned until tomorrow at
twelve o'clock.

Friday, March 31st 1876.

Pursuant to adjournment the Court met to day at the Capitol.

Present:

The Honorable Morrison R. Waite Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Ashley Middleton Clerk

Proclamation being made the Court is opened.

Charles E. Phillips
vs. Appeal from Ewd
191 McGehee Snowden &
Violet a commercial firm
composed of Scott McGehee
Samuel F. Snowden and
Alfred Violet

Error to the Circuit Court of the United States for the District of Louisiana.

Friday March 31st 1876 - continued.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and the plaintiff in Error having been three times solemnly called by the Marshal to come into Court and prosecute his writ of Error and failing to appear, it is thereupon on motion of Mr. J. J. Siffell of Counsel for the defendants in Error ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby dismissed with costs.

Per Mr. Ch. Jus. Waite.

Wm Buchanan
192 vs Plff in Error
Jerry B. Clarkson

The argument of this cause was commenced by Mr. James Carr of Counsel for the plaintiffs in Error. The Court declined to hear Counsel for the defendant in error.

The New Orleans Canal & Banking Co. et al
179 vs. (Writ of Error)
Wm. M. Shakespear

On motion of Mr. D. T. Bayard leave is hereby granted the Clerk to issue the mandate in this cause.

The 1st National Bank of Charlotte
vs. (Writ of Error)
The National Exchange Bank of Baltimore

This cause was submitted to the consideration of the Court on the record and printed argument by Mr. John Scott jr. of Counsel for the plaintiffs in error and by Mr. Wm. F. Frick for the defendant in error.

Henry Terry
194 vs. (Appellant)
The Commercial Bank of Alabama.

This cause was submitted to the consideration of the Court on the record and printed argument by Mr. Terry, the appellant, my counsel appearing for

the appellee.

Jacob Mayer, et al 195 vs. Appeal in Error The Manhattan Life Insurance Company	Ordered by the Court, that this cause be and the same is, hereby passed for the present.

Francis S. McKay et al 197 vs. Appellants, W. C. Langley et al	(Substituted for No. 196.) The argument of this cause was commenced by

Mr. Samuel Ford for counsel for the appellant & continued by Mr. C. R. Miles for the Appellees.

Proclamation being made the Court is adjourned until Monday next at ten o'clock.

Monday, April 3rd 1876.

Pursuant to adjournment the Court met today at the Capitol

Present,

The Honorable	Morrison R. Waite	Chief Justice
	Nathan Clifford	
	Noah H. Swayne	
	Samuel F. Miller	Associate
	David Davis	Justices
	Stephen J. Field	
	William Strong	
	Joseph P. Bradley	
	Ward Hunt.	

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. David Dudley Field it is ordered that Isaac Bayley Esquire of New York City be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in

this behalf, by Hon. W^m Kinney. Why it is ordered that Hon. D.C. Norwood of Savannah, and N. J. Hammond, Esquire, of Atlanta, State of Georgia and Hon. A.S. Caperton of Monroe State of West Virginia be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

Wm J. Buchanan
vs. Plff in Error
Jerry B. Clarkson

In error to the Supreme Court of the State of Missouri.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and was argued by counsel, on consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

Per Mr. Ch. Jus. Waite.

M. V. and A. J. Cochran
653 vs. Appellants,
N. A. Clark et al

The motion to dismiss this cause was submitted to the consideration of the Court on printed arguments by Mr. J. J. Riddle in support of the same and by Messrs. Albert Pike and T. H. Pike and C. W. Johnson in opposition thereto.

Daniel Hand
693 vs. Pff in Error
Fleet & Dunn
Comm'r Gen'l &c

The motion to advance this cause and assign a day for its argument was submitted to the consideration of the Court on printed arguments by Mr. D. J. Colvin in support of the same and by Mr. C. Phillips in opposition thereto.

Erasmus L. Force
735 vs. Pff in Error
Wm T. McVeigh

The motion to dismiss or advance this cause was submitted to the consideration of the

Court now ~~proceeded~~ heard arguments by Mr. Phillips in support of the same and by Mr. S.S. Peach in opposition to the motion to dismiss.

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577 The Central Railroad and Banking Company vs. Pff in Error
The State of Georgia

and

578 The Southwestern R.R. Co vs. Pff in Error
The State of Georgia

On consideration of the motion of Mr. E.H. Hill to advance these cases, and of the argument of Counsel thereupon had, it is now ~~here~~ ordered by the Court that said motion be granted, and that the cases be and they are hereby assigned for argument on Thursday next the 6th instant.

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577 Francis S. Murray et al Appellants vs. W. C. Dougherty et al

The argument of this cause was continued by Mr. C.R. Miles of counsel for the appellees and concluded by Mr. James Saunders of

Counsel for the appellants.

The State of Louisiana
Ex rel J. S. McCauley
338 vs. Appellant
Charles Clinton et al

On motion of Mr. Conner it is ordered by the Court that the order entered in this cause on the 14th day of February last advancing and assigning this cause for argument be and the same is hereby rescinded and annulled.

S. C. Savage Exr &c
175 vs. Appellant
The United States

The argument of this cause was commenced by Mr. Conway Robinson of Counsel for the appellants. The Court declined to hear argument on behalf of the appellees.

Branch, Jones & Co.
199 vs. Appellants
The City Council of
Charleston
and

(Substituted for Thursday) The argument of this cause was commenced by Mr. James Conner

The City Council of Charleston
200 Vs. Appellant
Branch Jones & Co.

of counsel for the appellants in No. 199, and for the appellees in No. 200 and continued by Mr. D. G. Corbin of counsel for the appellees in No. 199 and for the appellant in No. 200.-

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Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday April 11th 1876

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller. Associate
David Davis Justices
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.

John G. Nicolay Esquire. Marshal.
David Wesley Middleton. Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. George W. McCrary it is ordered that G. S. Fort Esquire of Pacon Stake of Illinois be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

W. S. Gilman et al
557 vs. Appellants
The Ills. & Mississippi
Tel. Co. and
H. Coykendall,
Garnishee
558 vs. Pff in Error
The Ills & Miss Tel. Co.

On motion of Mr. McCrary leave is hereby granted the Clerk to issue the Mandate in these cases.

The New Schooner called or intended to be called The "Maggie Laird" vs Stab.
179 vs. Appts in Error
Wm. M. Shakespear.

On motion of Mr. T. F. Bayard leave is hereby granted him to withdraw the original papers filed in this cause, and that he file certified copies of the same.

Branch Sons & Co
199 vs. Appellants
The City Council of
Charleston
and

The argument of these cases was concluded by Mr. A. G. Magrath of Counsel for the

The City Council of Charleston 200 vs. Appellant Bromaby Jones & Co.	appellant in No. 199. and for the appellees in No. 200-

John Garand 136 vs. Appellant Wm. A. Ball et al	The argument of this cause was commenced by Mr. Robert Toombs of

counsel for the appellant continued by Mr. B. H. Hill of counsel for the appellees, and by Mr. R. Toomby for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday April 5th 1876.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt,

} Associate Justices

John G. Nicolay Esquire, Marshal
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court—in this behalf by Mr. John A. Grow it is ordered that George W. Carter Esquire of New Orleans, State of Louisiana be admitted to practise as an attorney and counsellor of this Court and he was sworn accordingly.

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136 John Garsed vs. Appellant
Wm B. Beall et al

The argument of this cause was concluded by Mr. R. Toombs of counsel for the appellant.

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201 The Coastwise Co. Claimants of Steamer Alabama &c vs. Appellant
Nicholas de las Casas

and

202 Nicholas de las Casas vs. Appellant
The Steamer Alabama &c

The argument of this cause was commenced by Mr. J.E. Pastors of counsel for the appellee in No 201 and the appellant in No. 202 and continued by Mr. Edwards Pierrepont of counsel for the appellant in No 201 and the appellee in No. 202.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday. April 6th 1876.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice.
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.
Associate Justices.

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. E. Parsons, it is ordered that Carlisle Norwood Jr. Esquire of New York City be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

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The Coastwise Co. Claimt of St. Alabama &c
201 vs. Appellant
Nicholas de las Casas
and
Nicholas de las Casas
202 vs. Appellant
The Steamer Alabama &c

The argument of this cause was continued by Mr. W. R. Beebe of counsel for the appellant in No. 201 and appellee in No. 202 and concluded by Mr. J. E. Parsons of counsel for the appellee in No. 201 and the appellant in No. 202.

The Central Railroad and Banking Company
577 vs. Plffs in Error
The State of Georgia
and
The Southwestern R. R. Co.
578 vs. Plffs in Error
The State of Georgia

On the application of counsel it is ordered that one hour and thirty minutes additional time be allowed each side in the argument of these cases.

The Central Railroad
and Banking Company
577 vs. Plff in Error
The State of Georgia
and
The Southwestern Railroad
Company.
578 vs Plff in Error
The State of Georgia

The argument
of these cases
was commenced
by Mr. A. R. Lawton
of counsel for
the plaintiffs
in error and
continued by
Mr. N. J. Hammond
for the defendant
in error and by Mr. David Dudley Field for
the plaintiffs in error.

Proclamation being made the Court is
adjourned until tomorrow at twelve
o'clock

Friday April 7th 1876.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice.
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices.

John G. Nicolay Esquire, Marshal.
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. David Dudley Field, it is ordered that William N. Boyd Esquire of New York City be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

Matthias Terhune
vs. Appellant
John Phillips and
Wellington Phillips

On consideration of the motion of Mr. J. H. Ashton to docket and dismiss this cause, it is now here ordered by the Court that said motion be and the same is hereby denied.

Chester A. Arthur, Collector
834 vs. Plff in Error.
James P. Cumming et al.

On motion of Mr. Stanley leave is hereby granted the Clerk to issue the mandate in this cause.

The Central R. R. and Banking Company
577 vs. Plff in Error.
The State of Georgia
and
The Southwestern R. R. Co.
578 vs. Plff in Error
The State of Georgia.

The argument of these cases was continued by Mr. Robert Toombs of counsel for the defendants in error and concluded by Mr. J. S. Black

of counsel for the plaintiffs in error

The Town of Danville
203 U.S. Plff in Error
J. B. Pace.

In error to the Supreme Court of Appeals of the State of Virginia.

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of Virginia and it appearing to the Court that the matters in controversy in this cause have been agreed and settled between the parties, it is now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby dismissed with costs.

(per Mr. Chief Jus. Waite.

The Town of Danville
204 US. Plff in Error
J. B. Pace

In Error to the Supreme Court of Appeals of the State of Virginia.

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of Virginia and it appearing to the Court that the matters in controversy in this cause have been agreed and settled between the parties, it is now here ordered and adjudged by this Court that the writ of Error in this cause be and the same is hereby dismissed with costs

per Mr. Chf Jus. Waite

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198 Gains Whitfield Appellant
vs.
The United States

The argument of this cause was commenced by Mr. P. Phillips of Counsel for the appellant and continued by Mr. Solicitor General Phillips for the appellee.

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193 The 1st National Bank of Charlotte Plff in Error
vs
The Nat. Exchange Bk of Baltimore

On motion of Mr. Trick leave is hereby granted

him to file supplemental brief in this cause.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock

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Monday April 10th 1876.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable	Morrison R. Waite	Chief Justice
	Nathan Clifford	
	Noah H. Swayne	
	Samuel F. Miller	Associate
	David Davis	Justices
	Stephen J. Field	
	William Strong	
	Joseph P. Bradley	
	Ward Hunt	

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf. by Mr. F. J. Lippett, it is ordered that Heman B. Magruder, Esquire, of New Orleans State of Louisiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Blakely Wilson
173 vs Pff in Errd.
Lafayette McClellis

In error to the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel.

On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit court in this cause be and the same is hereby affirmed with costs.

per Mr. Justice Hunt.

Blakely Wilson
178 vs Pff in Errd.
Peter Boyce

In error to the Circuit Court of the United States for the Eastern District of Missouri.